THE Bombay Gazette,

AND INDIAN DAILY NEWS.

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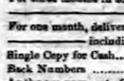

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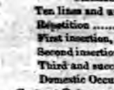

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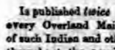

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TO LET.

ONE HOUSE in Love Lane, and a large and Commodious BUNGALOW in the Mount Road, Mazagon. Apply to SORABJEE JAMSETJEE JEJEEBHOY.

TO LET.

THE SPACIOUS AND AIRY APARTMENTS lately occupied by the "Baroda and Central India Railway Office," No. 7, Hornby Row. Apply below, at the premises.

TO LET.

WITH IMMEDIATE OCCUPATION.—The first and second Floors of an Office, in Rampart Row. For further particulars, apply to LEGGATT & Co., 3, Rampart Row.

Bombay, 15th May 1862.

TO LET.

FROM THE 1ST DECEMBER 1862.—A very large and Commodious three storied HOUSE, at present occupied as the "British Hotel," situated within the Fort, in which there is a strong stone built safe for Treasure, and well adapted for a Bank or Mercantile Office. For particulars, apply to Messrs. EDULJEE RUSTOMJEE'S SONS, Apollo Street, Fort.

TO LET,

FROM the 15th October NEXT, an AIRY AND COMFORTABLE BUNGALOW with a good convenience of Water and Outhouses, Stables, &c., situated at Mazagon, and now occupied by Mr. Dossabhoy Cursetjee Wadia as pleasure house, apply to DOSSABHOY CURSETJEE & Co.

No. 12, Apollo Street, 3rd September 1862.

TO LET AT MAHABLESHWUR.

FROM the 1st OCTOBER the "WESTWOODS." Apply to Messrs. LAWSON and MCKENZIE, Bombay, or Messrs. HUNT, MONNETT & Co., Poona.

BY THE OVERLAND MAIL.

GLO'STER, North Wiltshire, Somerset, Berkley, and Chodder Cheeses, York Hams, Wiltshire Bacon, and Apricot Jam in patent Pots.

Church Gate. McCOMBIE & WRIGHT.

ST. ANDREW'S LIBRARY, BOMBAY.

THACKER, VINING & Co.

LETTS' DIARIES FOR 1863.

THE following numbers of these Diaries are now available.

Quarto—7¾ by 9¾ inch.

2—2 Days in a page, divided perpendicularly with Sunday, cloth		5 12
2H—Do Do. divided horizontally with Sunday, cloth		5 12
3—3 Days in a page without Sunday		4 8

Octavo—4¾ by 7¾ inch.

8—1 Day in a page with Sunday, cloth		5 0
8—Do. Do. with Lock and Key		9 0
8—Do. Do. in Russia perpetual cover with Lock and Keys		12 0
9—2 Days in a page with Sunday		4 8
9—Do. Do. with Lock and Key		7 8
Do. Do. in Russia perpetual cover with Lock and Keys		12 0
10—3 Do. Do. with Sunday		3 4
11—3 Do. Do. without Sunday		3 0
11B—3 Do. Do. Dr. and Cr. without Sunday		4 8

Small Octavo—3¾ by 6 inch.

12—Enlarged, 2 Days in a page with Sunday		3 0
12—3 Days in a page with Sunday		2 4
12—Do. in Silk		3 12
12—Do. French Morocco Tuck		4 0
12—Do. Morocco Wallet		9 0
13—Do. without Sunday		2 0
13—Do. French Morocco Tuck		3 12

Small long Octavo—8¼ by 7¾ inch.

14—3 Days in a page with Sunday		2 0
14—Do. French Morocco Loops		4 0
15—Do. without Sunday		2 0

Large 18mo.—8¼ by 5 inch.

17D—7 Days in an opening left p. memo. right cash, cloth		1 4
17D—Best Morocco Wallet		6 0
17—7 Days in an opening		1 4
18—Do. Do		2 0

Large 32mo.—2¼ by 3¾ inch.

20—7 Days in the opening		1 8
21—7 Days in the page		0 8
Card Case Almanack		0 8
Do. in Russia		2 4
Monthly or Professional Diary—one Day in a page, set of 12 in a neat case		5 4
Loose Perpetual Covers for Nos. 8 and 9		9 0

Rampart Row. THACKER, VINING & Co.

CHESSON & WOODHALL'S MISCELLANY.

The No. for OCTOBER is now ready.

CUTHBERT DAVIDSON:

HIS WORK AND HIS REWARD.

TO GHANSIE, VIA FOULARIA AND THE PASS OF ISLAMABAD.

IN CONTINUATION OF THE

HISTORICAL ROMANCE OF THE CENTRAL INDIA CAMPAIGN.

SIR EDRYN NUDD ASSUMES COMMAND.

(This Tale commenced with Volume III., and contains the most authentic record yet published of the eventful period.)

☞ CAPTAIN SOCK BUSKIN'S LETTERS ON AMATEUR ACTING.

Invaluable Precepts:—Pleasant Reading for all.

(Letters I. to VI. in current Volume IV.)

THE CARNIVAL IN ROME; with Visits to the Museums and Studios.

The Last Chapter of THE DOOMED HOUSE. GARDENING UNDER DIFFICULTIES.

NIRGIS AT THE COURT OF BAHADUR SHAH.

(An Eastern Tale; comprising a complete and the only existing Guide to Delhi and its Environs.)

A TALE BY A SOLDIER OF FORTUNE.

THE ISLE OF LIGHT: AN ALLEGORY.

DISTRIBUTION OF THE BOMBAY ARMY; AND LIST OF OFFICERS OF THE 103rd, 106th, and 109th REGTS. *Corrected to date.*

HOME POLITICS AND LITERATURE; MILITARY SUMMARY; AND INDIAN RETROSPECT.

TURF CALENDAR.

In the NOVEMBER No. the first portion of a NEW TALE will appear—

"OKAMUNDEL."

By the Authoress of "The Doomed House.'

CHURCH PSALTER AND HYMN BOOK.

THIS new Book is now in constant use in the Byculla Church, and is universally admired as the best, most concise and useful compilation that has yet appeared, the immense patronage accorded during the last three years has induced its adoption in St. Paul's Cathedral and most of the Churches in London. John Goss, the eminent composer and organist, has had the musical portion of the Book under his special care. The Rev. W. Mercer, with the Dean of St. Paul's and others, the highest authorities of the day, have greatly improved this last edition, which contains some tunes composed by His late Royal Highness the Prince Consort:—

Large edition	Rs.	2 8 0
Small ,,	,,	1 8 0

September 10th, 1862. HERBERT & Co.

N.B.—Both editions, large and small, *exactly correspond*; some hundred copies just received.

NOTICE.

THE UNDERSIGNED have, from this day, commenced business as COMMISSION AGENTS and MERCHANTS under the style and firm of

JAVERILAL UMIASHANKAR & Co.

Tamarind Lane, No. 6, Fort, Bombay, 1st October 1862.

NOTICE.

THE UNDERSIGNED have several Crops of PLANTATION COFFEE for sale on Owner's account.

They also prepare Coffee for shipment, effect purchases or sales of all Coast produce, &c. and undertake the Agency and Valuation of Coffee Estates.

APPERTON & Co.

Cannanore, Malabar Coast, 20th Sept. 1862.

TO LET.

FROM 1ST NOVEMBER NEXT, the Upper Floor of the House, No. 7, Medow Street, suitable for either Office, Business or Dwelling. Apply to JACOB & Co., Fort.

TO LET.

A FINE, SPACIOUS, AND AIRY HOUSE, in the Fort, with extensive Godowns, and a large open space, suitable for a Merchant or any other office.—Apply to LIMJEE MANECKJEE, at Messrs. LECKIE & Co.

TO LET.

FIRST FLOOR AND FOUR GODOWNS, No. 7, Rampart Row, next to Messrs. G. S. KING & Co. Apply to N. Sorabjee & Co., House, Commission, and General Agents, No. 2, Bell Lane, Fort.

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COMMERCIAL.

BOMBAY DAILY BILL, SHARE, STOCK, AND FREIGHT LIST.

BOMBAY GAZETTE OFFICE,

Friday, 3rd October 1862.

EXCHANGE.

On What Place.	Term.	Rates.
London Banks	6 months' sight	2s. 0 9-16d.
Do. Credits	Do. do.	2s. 0 9-16d.
Do. Documents	Do. do.	2s. 0 9-16d. 2s. 0 13-16d.
Calcutta	At sight	99½ to 99¾
Madras	30 days' sight	99½
China	60 Do. do.	217 to 218 per $100

SHARES.

Names.	Paid up.	Last Half-yearly Dividend.	Rates.
BANKS.	Rs.		[ex divd.
Agra Bank	500	5 pr. ct.	85 per cent pm.
Bombay Bank	1,000	4½ do.	93 ditto.
Oriental Bank	250	2½ do.	11 discount.
Commercial Bank	500	5 do.	8½ prem.
Chartered Bank of India, A. & China	200	2½ do.	2 pr. ct. disct.
Chartered Mercantile Bank of India London and China	250	5 do.	16 pm. ex. divd.
Oriental Bank Corporation	250	8 do.	106 pr. ct. pm.
Madras Bank	1,000	4½ do.	95 pr. ct. pm.
Presss Cos.			
Apollo Press Co.	11,000	1,800 per share.	Rs. 21,800 p. sh.
Colaba Press Co.	2,700	225 do.	Rs. 5,000 p. sh.
Hydraulic Press Co.	4,000	250 per share	Rs.5,200 dis. nom.
Elphinstone Land & Press Co.	6,000	225 per share	Rs.4,200 p.sh.pm
RAILWAY Cos.			
G. I. P. Railway Co. Consolidated Stock	218-3-0	pr. ct.	Rs. 4 disct.
Do. New £20 shares	130.14.5	2½ do.	Rs. 8 disct.
Bombay Baroda & C. I. R. Co.	1,000	2½ do.	Nominal.
SPINNING & WEAVING Cos.			
Bombay Spinning & Weaving Co.	5,000	1,000 per share.	Par.
Great Eastern Spinning & Weaving Co.	1,100	.....	Rs. 300 disct.
Manockjee Petit's Spinning & Weaving Co.	550	.....	Rs. 175 disct.
Oriental Spinning & Weaving Co.	2,500	450 Rs. p. share.	Rs. 275
Royal Spinning and Weaving Co.	1,500	.....	Rs. 275 disct.
Victoria Spinning Co.	5,000	.....	Rs. 200 disct.
Bombay United Spinning & Weaving Co. after Alex Spinning and Weaving Company, Limited	4,500	.....	Ditto.
Cowla Spinning Co	125	.....	Ditto.
	5,000	.....	
Bombay S. N. Co.	500	32 per share	Rs. 100 per sh.
Colaba Land Co.	10,000	Rs. 100	Rs. 14,500.
Throstle Mill Co.	4,000	.....	Rs. 300 disct.

GOVERNMENT SECURITIES.

Four Per Cent. Transfer Loan 99

" Loan 1835-36 .....
" Loan 1842-43 ..... } 94½ to 94¾
" Loan 1854-55 .....

New Five per Cent. Loan ..... 104½ to 104¾

Five and a Half Per Cent. Loan 112¼

PRICES OF BULLION, &c.

Sovereigns, each	Rs.	10-4
Bank of England Notes	"	10-3
Spanish Dollars	"	240
Crowns	"	290
Maximes Dollars	"	225
German Crowns	"	213
Five Franc Pieces	"	205
Bar Silver	"	106½
Gold Leaf	"	16-7

FREIGHTS.

To Liverpool (Cotton) ready	£3	0s. 0d.	to £3 10s. 0d.
" (Seed)	£2	0s. 0d.	
To London (Cotton) ready	£2	17s. 6d.	to £3 2s. 6d.
" (Seed)	Nominal.		
To China	No enquires.		
To Clyde			
To Calcutta and back	Rs. 20 offered.		

PRICES CURRENT (1ST OCTOBER 1862.)

		Per candy.
COTTON at Colaba:		
†Old Broach, ready	Rs.	415 to 420
Old Surat	"	422
Old Dhollera, and Bhownagger	"	425 to 430
Old Oomrawuttee	"	420 to 422
Old Comptah	"	408 to 410
Old Dharwar Sawginned	"	385 to 390
Old Sanaes, and Nugger	"	405 to 410
Old Veraval	"	400 to 405
Khandeish	"	395 to 405
Old Poonthee	"	405 to 410
Old Accola	"	420 to 422
Old Mungalore	"	405 to 408
OPIUM—Malwa, Rs. 1,530 to 1,535.		
SEEDS—Linseed, Calcutta, at Rs.		7-5 to 7-6 per cwt.
Rapeseed, Garden	"	84 to 84 nominal.
Ghigelly seed (Black and White)	"	38 to 39 nominal.
Niger (Nominal)	"	40 to 41 nominal.
	"	28 to 29

OPIUM MEMORANDUM FOR THE WEEK ENDING TUESDAY, 30TH SEPT. 1862.

PRESSES DESPATCH.

Years.	Up to 29th Aug 1862.		Total.
At Indore.	Chests.	Chests.	Chests.
For 1860-61	...	...	*40,703
" 1861-62	26,150	...	26,150
At Ahmedabad.			
For 1860-61	...	...	*4,168
" 1861-62	...	...	42

IMPORTED INTO BOMBAY.

Years.	Up to 23rd Sept. 1862.	From 24th to 30th Sept. 1862.	Lost on the Road.	Total Imported.
At Indore.	Chests.	Chests.	Chests.	Chests.
For 1860-61	...	...	79	*40,624
" 1861-62	25,511½	551	77	26,142½
At Ahmedabad.				
For 1860-61	...	...	13½	*4,149½
" 1861-62	...	...	...	42

EXPORTED BY SEA.

Years.	Up to 23rd Sept. 1862.	From 24th to 30th Sept. 1862.	Total.
At Indore.	Chests.	Chests.	Chests.
For 1860-61	40,411	6½	40,417½
" 1861-62	22,635½	1,145½	23,781
At Ahmedabad.			
For 1860-61	4,028	11	4,039
" 1861-62	16	...	16

DETAIL OF EXPORTS FROM 24TH TO 30TH SEPT. 1862.

Of the Season 1860-61.		
Per Steamer *Salsette*	Chests	6½
Per Steamer *Salsette*	"	1,145½
Of the Season 1860-61.		
Per Steamer *Salsette*	"	11
Total		1,163

N. B.—The Opium Season year commences from 1st October and ends with 30th September.

* During the whole Season.

(Errors excepted)

H. MILES,

For Actg. Dy. Commr. of Customs, Salt, Opium, P. D.

Bombay, Custom House, 1st October 1862.

BANKS.

ORIENTAL BANK CORPORATION.

BOMBAY AGENCY.

EXCHANGE.

THE CORPORATION grant Drafts on London on Demand, and at from one day to six months' sight, and Drafts on Scotland and Ireland on demand; also Circular Notes negotiable in Egypt, Syria, the Continent of Europe, New York, the West Indies, Australia, New Zealand, and the Cape of Good Hope.

The Current rates of Exchange are :—

On London at 6 months' sight	2s.	0d.	per Rupee.
" 4 do.	.....	1s. 11¾d.	do.
" 3 do.	.....	1s. 11¾d.	do.
" 2 do.	.....	1s. 11¾d.	do.
" 1 do.	.....	1s. 11¾d.	do.
" on demand	.....		
On Scotland do.	.....	1s. 11¾d.	do.
On Ireland do.	.....		
On France, at 8 days' sight	.....	1s. 11¾d.	do.
Circular Notes payable throughout Europe		1s. 11¾d.	do.

No Drafts at six months' sight are granted for sums under £20. Same under £20 are only drawn for on Demand.

Drafts are also granted on Calcutta, Madras, Ceylon, Hongkong, Singapore, Mauritius, Melbourne, and Sydney.

The Corporation buy or collect Bills payable in Europe or in Calcutta, Madras, Ceylon, Hongkong, Singapore, Mauritius, Melbourne, and Sydney.

DEPOSITS.

The Corporation receive Deposits on the following terms :—

Repayable on demand, in sums of Rs. 100 and upwards ..... 2 per ct. per annum.
Do. in sets sum, at 3 months' notice ..... 3 " "
Do. do. 6 do. ..... 4 " "
Do. do. 12 do. ..... 5 " "

No interest allowed on Deposits under Rs. 1,000, nor on deposits over Rs. 50,000, *unless by special arrangement.*

REMITTANCE.

The Corporation undertakes to remit money to Europe by each Overland Mail, free of charge.

Parties are requested to make all Orders or Hoondies payable to "*The Oriental Bank Corporation or Order,*" and to state distinctly the name and address of the person to whom the Remittance is to be made, (*if to a Lady, her Christian name or names in full,*) and the sight at which the Bills are to be drawn.

COMMISSION.

The rate of Commission charged by this Agency on the purchase or sale of Government Securities negotiable in Bombay, is ¼ per cent. on the amount invested or realised, and on the collection of Bills, one per cent. and Postage.

The Corporation take charge of Government, Paper, Shares in the Bank of Bombay, and other local Stocks, free of all charges, and will draw Interests and Dividends on the same as they fall due, on the following terms :—

If to be remitted through the Corporation .....Without charge.
If to be paid to the Bank within the Presidency ..... ¼ per cent.
If to be remitted to Europe ..... ¼ per cent.
On delivering Government Paper out of safe custody ..... ¼ per cent.

Hours of business ..... 10 to 4 o'clock.
Saturday ..... 10 to 1 do.

KURRACHEE SUB-AGENCY.

Messrs. Fletcher & Co. are appointed Agents for the Corporation and receive Bills payable in London and Bombay.

Bombay, 1st May 1862.

CHARTERED MERCANTILE BANK OF INDIA, LONDON, AND CHINA.

EXCHANGE.

THE Bank grants Drafts on London, and on Scotland and Ireland, also Circular Notes negotiable in Egypt, Syria, and the principal Towns of Europe, at the following current rates of Exchange :—

On London, at 6 months' sight	2s.	0d.	per Rupee.
" 4 do.	.....	1s. 11¾d.	"
" 3 do.	.....	1s. 11¾d.	"
" 2 do.	.....	1s. 11¾d.	"
" 1 do.	.....	1s. 11¾d.	"
" On demand	.....	1s. 11¾d.	"
On Scotland do.	.....	1s. 11¾d.	"
On Ireland do.	.....	1s. 11¾d.	"

Circular Notes for the use of Travellers on the Continent and to Europe, Overland, at 1 day's sight ..... } 1s. 11¾d. "

Drafts at 6 months' sight are not granted for less than £50 and amounts under £20 are only drawn for payable on demand.

The Bank also purchases Bills and grants Drafts payable in Calcutta, Madras, Ceylon, Hongkong, Canton, Shanghai, Singapore, Penang, and Mauritius.

Bills collected at any of the above places at an uniform charge including postages, of one per cent.

INTEREST ALLOWED.

On Current Accounts ..... 2 per cent.

On Deposits payable on demand, subject to a commission of ¼ per cent. on amounts withdrawn 4 "
Deposits for 3 months ..... 4 "
Do. do. 6 do. ..... 5 "
Do. do. 12 do. ..... 6 "

No interest allowed on Current Account Balances under Rs. 1,000 nor on Deposits above Rs. 50,000, unless by special agreement.

No cheques paid or cash received under Rs. 20.

COMMISSION.

The Bank takes charge of Government Securities, shares in Banks and other Companies, without charge, and realizes Interest and Dividends thereon on the following terms :—

If to be remitted in the Bank's Drafts, without charge.

If to be paid in India, a Commission will be charged of ¼ per cent.

On returning Government Paper, or Share Certificates out of safe custody, or when sold, on paying the proceeds of such sale in India, a commission will be charged of ¼ per cent. But if proceeds are remitted on the Bank's Drafts, without charge.

Commission charged on purchase and sale of Government Securities and Shares ¼ per cent.

B. D. PEEBLES,
Bombay, 1st May 1862. Acting Agent.

CENTRAL BANK OF WESTERN INDIA.

INTEREST ALLOWED.

ON Current Deposit Accounts above Rs. 1,000, and not exceeding Rs. 50,000, repayable on demand, at 2 per cent. per annum.

On Deposits for 3 months certain 3 per cent per annum.
Do. " 6 " " 5 " "
Do. " 12 " " 6 " "

EXCHANGE.

Bills on London, at 6 months' sight 2s. 0d. per Rupee.

Ditto	at 4	ditto	1s. 11d.	do.
Ditto	at 3	ditto	1s. 11¾d.	do.
Ditto	at 2	ditto	1s. 11¾d.	do.
Ditto	at 1	ditto	1s. 11¾d.	do.
Ditto	sight	ditto	1s. 11¾d.	do.

Drafts at 6 months' sight are not granted for less than £50 and amounts under £20 are only drawn for payable on demand.

COMMISSION.

On the sale or purchase of Government and other Securities 5 per cent. on the amount realised or invested.

The Bank receives Government and other Securities for safe custody, free of charge, the Interest or Dividends thereon being credited to account or remitted home in the Bank's Bills, also without charge.

On, Interest, or Dividends, or on proceeds of Securities by Sale, ¼ per cent. commission charged, if the amounts be paid in India, if remitted home by the Bank, no commission charged.

On returning Securities out of safe custody ¼ per cent. Commission.

Hours of business ..... 10 A.M. to 4 P.M.
Saturdays ..... 10 A.M. to 1 P.M.

EDWIN HEYCOCK,
Bombay, 22nd May 1862. Manager.

CHARTERED BANK OF INDIA, AUSTRALIA, AND CHINA.

INCORPORATED BY ROYAL CHARTER.

Head Office—No. 20, Throadneedle St., London.
Paid up Capital—£644,000.
London Bankers. { The Bank of England. The City Bank.
Branches and Agencies at
Bombay, Calcutta, Singapore, Hongkong, and Shanghai.

BOMBAY AGENCY.

EXCHANGE.

THE Bank's Agency in Bombay grants Bills of Exchange on THE CITY BANK, London, at the following rates, viz. :—

6 months' sight (not under £50) at	2s.	0d.	per Rupee.
4 Do.	.....	at 1s. 11¾d.	"
3 Do.	.....	at 1s. 11¾d.	"
2 Do.	.....	at 1s. 11¾d.	"
1 Do.	.....	at 1s. 11¾d.	"
On demand (Head Office)	.....	at 1s. 11¾d.	"

DEPOSITS.

Interest is allowed on CURRENT ACCOUNTS at 2 per cent. per annum, on the daily balance, and on Fixed Deposits, as follows :—

Repayable in one sum, at 3 months' notice, 3 per cent.
Do. 6 do. 5 "
Do. 12 do. 6 "

No Interest allowed on Current Account Balances under Rs. 1,000 nor on Deposits above Rs. 50,000, unless by special arrangement.

REMITTANCE.

The Bank's Agency undertakes to realise Drafts or Hoondies on the Presidency without charge, for remittance to Europe in the Bank's Bills on the City Bank, London.

All Drafts, or Hoondies, forwarded for realisation, to be made payable to the Chartered Bank of India, Australia, and China, or order.

COMMISSION.

On the sale or purchase of Government Paper, Bank Stock and other Securities ¼ per cent. on the amount realised or invested.

The Bank receives Government and other Securities for safe custody, free of charge, the Interest or Dividends thereon being credited to account, or remitted home in the Bank's Bills.

On Interest or Dividends, or proceeds of Securities by sale, ¼ per cent. if the amounts be paid in India, if remitted home by the Bank, no charge.

On delivering up of Securities, deposited for safe custody, ¼ per cent.

Office hours 10 A.M. to 4 P.M.; Saturdays 10 A.M. to 1 P.M.

ANTHONY MORRISON,
September 5th, 1862. Agent.

THE AGRA AND UNITED SERVICE BANK, LIMITED.

ESTABLISHED IN INDIA 1833.

Incorporated by Royal Charter.

HEAD OFFICE..... LONDON.
BRANCHES AT CALCUTTA, BOMBAY, MADRAS, AGRA, LAHORE, KURRACHEE, UMBEITSUR, SHANGHAI, HONG-KONG and EDINBURGH.

SUBSCRIBED CAPITAL, £2,000,000 (TWO MILLIONS STERLING.)
PAID-UP CAPITAL, £1,000,000 (ONE MILLION STERLING.)
RESERVED FUND, £200,000 (TWENTY LAKS OF RUPEES.)

THE BOMBAY MANAGER of the AGRA AND U. S. BANK, LIMITED, is authorised to draw on the undermentioned Establishments :—

THE LONDON & WESTMINSTER BANK.
THE ROYAL BANK OF SCOTLAND (and Branches).
THE NATIONAL BANK OF SCOTLAND (and Branches).
THE NATIONAL BANK (IRELAND) (and Branches.)

THE BOMBAY BRANCH, makes advances on the pledge and deposit of Government Paper, and Loans are granted to Officers in the Services on approved Security, and to Regiments for Regimental purposes.

The Bank grants Circular Notes negotiable in Egypt and the Continent of Europe. The following are the current rates of Exchange :—

On London at 6 months' sight	2s.	0½d.	
" 4 months' sight	2s.	0¾d.	
" 3 months' sight	2s.	0¾d.	
" 2 months' sight	2s.		
" 1 month's sight	1s.	11¾d.	
" On demand			
On Scotland	} 1s. 11¾d.		
On Ireland			
Circular Notes	1s.	11¾d.	

The London General Manager will generally, if desired, be prepared to discount the Bank's Bills at the current rate of the day.

The Bank purchases Bills and grants Drafts payable at Calcutta, Agra, Madras, Lahore, Kurrachee, Umritsar, Hong-Kong, and Shanghai.

INTEREST ALLOWED.

1. On Floating, or Current Deposits, payable on demand or not less than Rs. 1,000 or more than Rs. 50,000 2 per cent. per annum.

2. On Fixed Deposits at 3 months' notice, 3 per cent. per annum.

3. On Fixed Deposits at 6 months' notice, 4 per cent. per annum.

4. On Fixed Deposits at 12 months' notice, 5 per cent. per annum.

Fixed Deposits may generally be availed of for the Bank's Bills on London without notice.

Notice of withdrawal can be given at the time of depositing the money, or at any time thereafter.

Interest is credited to Deposit accounts half-yearly.

No Interest allowed on Current Account Balances under Rs. 1,000 or over Rs. 50,000, unless by special agreement.

The Funds of all public bodies connected with the Services and of such other Societies as the Directors may consider eligible for the same privilege, will be received by the Bank at its highest rate of interest for the time being, subject to modified conditions.

The Bank reserves to itself the right of paying off all interest Deposits, and of modifying the terms thereof, on giving one month's notice.

Parties making remittances to the Banks should specify distinctly the Account or Accounts to which the same are to be credited. *Accuracy in this respect is particularly desirable.*

COMMISSION.

The Bank takes charge of Government Securities, Shares in Banks and other Companies, without charge, and realizes the Interest and Dividends, for which a charge will be made of ¼ percent.

On returning Government Paper or other Securities out of safe custody, a charge will be made of ¼ per cent.

On the purchase or sale of Government Securities and Bank or other Stock, ¼ per cent.

To obviate disappointment to parties at a distance purchasing the Bank's Bills on England, which might reach them too late for despatch by first Mail, it is hereby notified that the Bank will, whenever so requested, transmit the first of Exchange direct, on being furnished with the correct address of the party at Home to whom the remittance is to be sent.

All Orders or Hoondies should be made payable to the Manager of the Agra and U. S. Bank, Limited, or order, and the letters enclosing them should state distinctly the name of the person to whom the Remittance is to be made (*if to a Lady her Christian name or names in full,*) and the sight at which the Bills are to be drawn.

NOTICE.—The Bank will obtain registry of Promissory Notes of the several Loans of the Indian Government, and enfacement for payment of the Interest in London.

Drafts for Interest on such Government Promissory Notes, in the Treasuries of Calcutta and Madras, will be received for enrolment at current rates of Exchange, or for realization in India, at the Head Office of the Bank in London, where constituents can also deposit their securities for safe custody.

Parties are requested to address "*The Manager of the Agra and United Service Bank, Limited, Bombay,*" and to make all orders or Hoondies payable to him.

A Branch of the Bank has been lately established at Kurrachee, (Mr. R. E. W. Baker, Manager,) for the transaction of business in all its Branches.

JOHN CARING,
Bombay, 1st October 1862. Manager.

SHIPPING.

BOMBAY.

Arrivals.

DATE.	SHIPS.	COMMANDERS.	FROM
Oct. 2	Ralston	Davis	Liverpool 17 June.
	Admiral Lyons	Thompson	Liverpool 25 June.

Departure.

DATE.	SHIP.	COMMANDER.	TO
Oct. 2	Witch of the Wave	Bramhall	Calcutta.

DAILY EXPORTS.

BOMBAY, THURSDAY, 2ND OCTOBER 1862.

For Liverpool.

Euroclydon.—100 bales Wool, 300 cwt., Kessowjee Wagjee.

Aaron Browne.—140 bales Cotton, 490 cwt., Sorabjee Cowarjee Sawyer and Co.

STATIONS OF H. M.'s INDIAN NAVY.

1450	Ajdaha, 20 (flag-ship), Frushard	Bombay.
*204	Assyria, (paddle), ...	Bombay.
*246	Auckland, (paddle), ...	Bombay.
	Augusta, 6 (schooner)	Bombay.
664	Berenice, 2 (paddle), Chitty ...	Bombay.
*129	Clive, 14 (sloop), ...	Advertised for sale.
300	Clyde, 3 (screw gun-boat), Sadler	Bombay.
201	Comet, 2 (p. gun-boat), Selb	River Euphrates.
182	Constance, 3 (schooner), Trollope	Aden.
1026	Coromandel, 4 (screw), Carew	China.
295	Cruiser, (flat)	River Indus.
1022	Dalhousie, (screw), Pengelley	China.
387	Elphinstone, 12 (sloop), Do Belen	Bombay.
274	Ethersey, (flat), ...	River Indus.
225	Euphrates, (survey ship), Whish	Surveying Bombay Harbour.
495	Falkland, 12 (corvette), Drought	Bombay.
*1450	Feroze, 13 (paddle), Sconce	Bombay.
215	Goolanar, (paddle yacht), Nacodn	Bombay.
99	Georgiana, 2 (tender)	Persian Gulf.
399	Hugh Rose, (gun boat) Wood	Bombay.
200	Lady Falkland, (paddle), ...	Gwyn.
157	Mahi, 3 (schooner), Gardiner ...	Aden.
167	Marie, (schooner)	Bombay.
49	Nerbudda, (schooner), ...	Karrachee.
304	Nimrod, 2 (paddle)...	River Indus.
335	Planet, 1 (paddle), Fletcher ...	River Indus.
140	Pleiad, (screw), Searle	Bombay.
1246	Prince Arthur, (screw), Brazier	Bengal Public Works' Department.
335	Satellite, 1 (paddle), Harrison ...	River Indus.
960	Semiramis, 8 (paddle), Worsley ...	Aden.
610	Sir H. Lawrence, 2 (paddle), Jones	River Indus.
40	Snake, 1 (paddle), Rogers	Bombay Harbour.
258	Tigris, 5 brigantine), ...	Bombay.
*705	Victoria, 4 (paddle), ...	Advertise for sale.
1093	Zenobia, 9 (paddle), Adams ...	Aden.

* Out of Commission.

VESSELS IN BOMBAY HARBOUR.

[c.l. signifies "commenced loading."]

FOR LONDON,

1278	Celestial Empire, Murray	M. N. Bhowuggar.
940	Wings of the Wind, Whyte	Forbes & Co. (c. l. Sept. 23)

FOR LIVERPOOL.

1033	Aaron Browne, Rogers	Daly and Sorabjee. (c. l. Sept. 18)
1003	Azuline, Manson	John Clover & Co. (c. l. Sept. 8.)
1060	Beeston Castle, Corney	R. Scovell & Co. (c. l. Sept. 5)
1117	Edmund Kaye	W. W. Steel—F. Chambers.
1325	Euroclydon, Wright	Martin, Young & Co. (c. l. Aug. 8)
1240	G. H. Holt, Robinson	W. Nicol & Co.
1328	Hahneman, Phillips	Rennie, Scovell & Co. (c. l. Sept. 1)
1218	Howden, Verril	Pestonjee Jehangeer.
1306	Inkerman, Grant	Coupland & Co. (c. l. Sept. 16)
1071	James Livesey	P. Comforta & Co. (c. l. Sept. 30)
865	Lady Havelock, O'Neill	R. Scovell & Co. (c. l. Sept. 9)
1286	Lancastrian, Pearson	George S. King & Co. (c. l. Sept. 13)
818	Missouri, Calhoun	Daly Sorabjee & Co. (c. l. Sept. 19)
1238	Norwood, Stapelton	John Clover & Co. (c. l. Aug. 30)
1569	Oriental, Ballard	Cursetjee Jemsetjee & Co. (c.l. July 29)
883	Peerless, Major	Ewart, Latham & Co. (c. l. Sept. 13)
1435	Queen of the West	Rennie, Scovell & Co. (c. l. July 23)
919	Rowantree, Lewis	Lyon Brothers & Co. (c. l. Sept. 17)
1090	Sir John Lawrence	B. & A. Hormusjee. (c. l. Sept. 6)
836	Victoria Bridge, Pennington	Ritchie & Co. (c. l. Sept. 39)
1131	War Cloud, Mackey	Rennie, Scovell & Co.

FOR FALMOUTH.

492	Freya, Major	A. H. Huschkie & Co. (c. l. Sept. 12)
407	Vasiliant Basque, LeMert	Volkart Brothers.

FOR HAVRE.

1006	Cadaceus, A. Holton	W. Nicol & Co. (c. l. Sept. 22)

FOR ANTAR.

847	Talbot, Spencer	Gray & Co.

FOR PENANG AND SINGAPORE.

261	Daddoy	Nacoda. (c. l. Sept. 15)

FOR CALCUTTA.

293	Bartle Frere, Nacoda	Hajee Esmail Sidick (c.l. Aug. 27)
508	Kossuth, Bennett	Alli Mohmed Khan. (c. l. Oct. 1)
327	Prince of Wales, Nacoda	H. J. Absdin. (c. l. May 12)

FOR TUTICORIN.

709	The Duke, Hawkins	J. Tanner & Co. (c. l. Oct. 1)

NOT FIXED.

672	Ally, Shepherd	H. E. Cadoo.
1288	Annot Lyle, Shaw	W. & A. Graham & Co.
307	Artemise, Nacoda	Cassum Natha.
290	Avarat, Nacoda	H. A. Lutiff.
700	Birkby, Purdy	B. and A. Hormusjee.
565	Bombay Castle, (s.) J. Wadge	C. M. S. N. Co.
283	C. Commercial de Goa, Marie	Henderson & Co. (for sale)
1294	Countess of Elgin, Abbott	Dixon, Hunter & Co.
435	Corings (s), Calder	C. and B. S. N. Co.
724	Duke of Wellington, J. Wetherhall	Comber, Sons & Co.
270	Ellesmere, Anderson	W. Nicol & Co.
1171	Epaminondas, Hussley	Wallace & Co.
445	Fazel Currim, Nacoda	H. A. Currim Cadoo.
917	Flower of the Forest, McAuly	W. & A. Graham & Co.
834	Forest Queen, Balch	Wallace & Co.
974	Glen Monarch, Lewis	Lawrence & Co.
1057	Gloriana, Vale	Ewart, Latham & Co.
1354	Herefordshire, Walker	Ewart, Latham & Co. (in dock)
1108	James Smith, Fervown	W. & A. Graham & Co.
	Juddel Mannon, Nacoda.	
1242	Labrador, Quinn	Pearl, Cassels & Co.
30	Mahomed Bux, Nacoda	Cowasjee Eduljee.
766	Mayaram Dayaram, Brady	H. Sidick Dossal.
192	Nassrool Hamed, Nacoda	M. Hussein.
292	Nassere, S. A. Box	Lodha Sonjee
705	Phatel Barrey, Nacoda	H. Esmal H. Hubib.
578	Ralston, T. Davis	W. & A. Graham & Co.
	Roman, Nacodo	Mr. Shawchund Galabchund.
150	Royal Victoria, Jones	Shaw Bhickajee Khan.
450	Scindian (s), Morrison	B. S. N. Company. (For sale.)
870	Sydney Eggers, Campbell	E. Bates & Co.
962	Tyburnia, Coote	Wallace & Co.
680	Ville de Cherbourg, LeMagnon.	

P. & O. Co.'s STEAMERS

2000	Columbian, (s.) J. Scottowa.	
1200	Ganges, (s.) H. Wilkinsgan.	
900	Jeddo, E. P., G. Browne.	
1090	Pottinger. (Laid up.)	

VESSELS IN KURRACHEE HARBOUR.

FOR LONDON.

699	Alexander, Foxlar	McIver & Co.
656	Phœbe Dunbar, Richardson	Dunolly & Co.
744	Sea Park, Stewart	J. L. Dunolly & Co.

FOR MARSEILLES.

495	Union, Ferrari	Dossabhoy Cursetjee & Co.

BOURBON.

403	Washington, Manand	S. Tyabjee & Co.

FOR MAURITIUS.

405	Emma, Richmond	T. Lidbetter & Co.
400	Gwalior, Thomson	Fleming & Co.

FOR COLOMBO.

584	Magna Bona, Tyson	McIver & Co.

FOR CALCUTTA.

	A. B. Coults, Candlish	Dunolly & Co.
710	Ukko	

FOR RANGOON.

	Hunter, Irwin	Fleming & Co.

NOT FIXED.

756	Clara, McPhun	A. Bell & Co.
1017	Helvellyn, Dallson.	

VESSELS EXPECTED AT BOMBAY.

FROM LONDON.

731	Brandon, Umfreville	Aug. 26
901	Caroline Agnes, Ormstone	W. Nicol & Co.
936	City of Carlisle, Pentreath	W. Nicol & Co. July 16
783	Clyde, Jourdain	Leckie & Co. July 17
626	Colgrain, Gardener.	
1102	Cospatrick, Micaulie	W. Nicol & Co. Aug. 15
766	Coromandel, Thompson	W. & A. Graham & Co. July 7
558	Duke of Northumberland, Brown.	
1047	Daniel Rankin, Rankin	Grey & Co. (troops) July 2
826	Eldza, Philpot.	Aug. 5
892	Edwin Fox, Maclean	W. Nicol & Co.
766	Empress of India, Thompson	Peel Cassels & Co. June 30
810	Gosforth, Shaw	Grey & Co. (troops) July 24
518	General Havelock, Spowart.	Aug. 5
1112	Her Majesty, Seymour (troops)	W. Nicol & Co. Aug. 23
1166	Hornet, Prynn.	
678	Lady McDonald, Brunell	John Tanner & Co.
541	Naval Brigade, McEwen	D. H. Oama & Co. June 20
1169	Pride of the Ocean, Kyle.	
876	Queen of England, Oates	Ewart, Latham & Co. Aug. 4
694	Robert Ritson, Brough	W. & A. Graham & Co. July 12
927	Salamanca, Livesay	Leckie & Co.
591	Southern Cross, Bristow.	
1044	Star of India, Morris. (troops)	W. Nicol & Co. Aug. 2
848	Vittoria, Blyth	Robert Frith & Co.
837	Victoria, Tate.	
1064	Walmer Castle, Ormsby	Wallace & Co. Sept. 3
1074	Windsor Castle, Pryce	Ritchie, Steuart & Co. (via Colombo) sailed (troops) July 24

FROM LIVERPOOL.

1133	Admiral Lyons, Thompson	Lyon Brothers. June 25
1094	Elizabeth Fry, Ian	W. & A. Graham & Co. July 5
519	Early Dawn, Norris	Coupland & Co. Aug. 29
1239	Cimber, Kopperholdt	Martin Young & Co.
1342	Fanny Forsyth, Gillon	E. Bates & Co. June 16
1393	Flying Venus, Withycombe	E. Bates & Co. July 15
1268	Peronia, Hutchinson	W. & A. Graham & Co.
1564	Harmonides, Moran	Ewart, Latham & Co. July 18
1124	Havelock, Gandy	Rennie Scovell & Co.
818	Helen Douglas, McDougall, W. & A. Graham & Co. June 19	
1194	Herald, Smellie	Coupland & Co.
1232	Indian Queen, Lawrence	Lawrence & Co. July 29
642	Jalawar, Webster	Coupland & Co. July 17
1104	Malakoff, Harris.	Aug. 5
650	Moreno, White	W. & A. Graham & Co. Aug. 27
951	Mornington	W. Nicol & Co.
1075	Natolia, Buther	Ewart, Latham & Co. Aug. 14
1081	Pelinurus, Tegan	W. Nicol & Co. July 11
1006	Peerless, Flovin	Lawrence & Co. June 10
1343	Peter Maxwell, Marshall	Lawrence & Co.
1272	Protector, Clarke.	Aug. 13
1337	Queen of the Seas, Glendinning	W. & A. Graham & Co.
923	Recorder, Osborne.	
906	Rosalie, Williams	Lyon Brothers. June 17
983	Rd. Cobden, Randall	Coupland & Co.
986	Sillery, McAulay	Wallace & Co. May 19
866	Ses Horse, Banks	J. P. Cornforth & Co. June 30
1160	Talavera, Brown	Coupland & Co. July 19
988	Trenton, J. Walker	Coupland & Co.
1785	Tudor, Wherland.	
1320	Uncas, Boag	Dirom Hunter & Co. Aug. 2
1511	Wasp, Storey.	

FROM LIVERPOOL VIA GALLE.

1030	Albatross, Pollock.	
1340	Amoor, Potts	Ritchie, Steuart & Co. June 14
1206	H. S. Soule.	Aug. 5

FROM LIVERPOOL V

CAUTION TO JURORS.—At the Criminal Court on Wednesday morning last, when the names of the gentlemen on the Petit Jury list were being called, the name of Mr. Samuel Perkes was called several times without that gentleman answering. The Clerk of the Crown having called the attention of the presiding Judge to the fact, enquiry was instituted, and it was ascertained that Mr. Perkes's name had been repeatedly called without his answering to the same. The Sheriff's officer having proved that Mr. Perkes had been duly served with the usual notice, Mr. Justice Couch ordered the absentee to be fined in the penalty of one hundred rupees.

WEATHER REPORT.

At 9 A.M., 2nd October 1862.

BROACH.—(1st) Cloudy and stormy; Ther. 68.
BULSAR.—(1st) Rainy S.W.
CANNANORE.—(1st) Cloudy N.W.
COCHIN.—(30th Sept.) Clear. Ther. 80.
GALLE.—(1st) Cloudy Westerly winds Ther. 81.
GOA.—Rainy S. W.
KOLAPORE.—(1st) Rainy S.W.
MADRAS.—(1st) Fine. S.W. Ther. 84.
PAUMBEN.—(1st) Cloudy. Ther. 86.
SURAT.—(1st) Cloudy W.S.W.

BOMBAY POLICE INTELLIGENCE.

FORT POLICE OFFICE, TUESDAY, 30TH SEPT.

(BEFORE W. CRAWFORD, ESQ.)

OVERLOADING A COUNTRY SHIP.—Abdool Habbib, Nacoda of a country vessel, was charged with having brought a larger number of passengers in his vessel than is allowed under Section X. of Act XXI. of 1858 and contrary to Section XIX. of the aforesaid Act.

The charge having been proved against the defendant, His Worship fined him two hundred rupees.

WEDNESDAY, 1ST OCTOBER.

(BEFORE N. W. OLIVER, ESQ.)

THEFT.—Bheema Essoo, was charged with stealing a copper pot, the property of one Babajee Bhugwant, on the 30th September.

The prisoner having been convicted of the charge, and likewise proved to be a damaged character, His Worship sentenced him to be imprisoned in the House of Correction for six months with hard labour.

LAW.

HIGH COURT.—*20th and 24th Sept.* 1862.

(BEFORE THE HON'BLE MR. JUSTICE COUCH.)

Cowjee Lilladhur & Co. vs. *W. H. Harris, Master of the ship Silistria.*

Mr. White and *Mr. Dunbar*, instructed by Messrs. Bickersteth and Cleveland appeared for the plaintiffs.

Mr. Westropp and *Mr. Scoble*, instructed by Dr. Dallas, for the defendant.

Mr. White opened the case by stating that the plaintiffs were merchants trading in Bombay and had a branch firm in Calcutta; and the defendant was Master of the ship *Silistria*. The action was brought for the short delivery of 20 bales of gunny bags, the value of which was Rs. 1,900. It would appear in evidence that the ship *Silistria* was chartered by one Hajee Jaffer Jacharia at Calcutta in October 1860; and on the 17th of that month 49 bales of gunny bags were shipped on board that vessel by the plaintiffs' agent at that place; and on the following day another quantity of 20 bales were shipped. These 20 bales were originally intended to be shipped on board the *Crescent City*, but as that vessel did not receive them, they were shipped on board the *Silistria*. So that the total number of bales shipped was 69; the Mate gave receipts for that number, and freight amounting to Rs. 78-4 was paid for them. The Captain signed two bills of lading,—one dated 17th October 1860 in which he acknowledged the shipment of 49 bales in good order and condition by plaintiffs, and the other dated 18th October similarly acknowledging the shipment of 20 bales, to be delivered to plaintiffs at Bombay; and in both he acknowledged the receipt of freight. The ship arrived here on the 26th December 1860, and the plaintiffs instructed their Muccadam to take delivery of 69 bales. It would appear that 48 bales were delivered by the Captain, and on demand being made upon the Mate for the remainder the Muccadam was told that the bales were lying under some packages of sugar and that they would be delivered after the sugar was discharged. After the discharge of the sugar, however, the Captain delivered one bale more, and denied that he had any more. Some correspondence took place between the parties as to the non-delivery of twenty bales, and the Captain in one of the letters wrote that forty-nine bales only had been delivered to him at Calcutta, and that the bill of lading for twenty bales had been given by mistake. A commission was then issued to take the evidence of the plaintiffs' agents, and, the learned counsel said he would satisfy the Court by that evidence, that the twenty bales had been shipped on board the *Silistria* together with the forty-nine bales. One significant fact was that no portion of the freight had been returned or offered to be returned by the defendant or his agent. The learned counsel read Section 3 of Act IX. of 1856 to shew that every bill of lading in the hands of the consignee or endorsee for valuable consideration is conclusive evidence against the Master, provided there is no fraud. He said that the plaintiffs' were consignees of those goods and holders for valuable consideration, and that there was no fraud on the part of the shipper.

The evidence taken by the Commission was then read by the Registrar of the Court: it went to shew that the plaintiffs' agent had shipped on board the *Silistria* 69 bales of gunny bags in two batches of 49 and 20 bales. The following witnesses were then examined.

Dossa Kirpal, one of the plaintiff's, remembered the arrival of the *Silistria* in Bombay. He had received bills of lading for 69 bales of gunny bags shipped at Calcutta by his agent. (Witness produces one bill of lading for 49 bales). On that bill of lading he received delivery of 29 bales. He had paid for the 69 bales shipped on board the *Silistria*. He received delivery of 49 bales in all. At that time the price of gunnies was Rs. 7-4 per Bombay maund. There are twenty-three to twenty-six maunds in each bale.

Cross-examined,—Witness had received an invoice and a letter of advice from Calcutta previous to the arrival of the ship in Bombay. He had not that letter with him, nor did he shew it to his attorney. There are 69 bales mentioned in the invoice.

Hajee Adam, a servant of the plaintiffs' Muccadum, remembered going on board the *Silistria* to take delivery of gunnies consigned to the plaintiffs. He received delivery of 49 bales in all. When he had received 48 bales, the Mate told him that 21 bales remained undelivered, which were lying under some sugar. After a few days when the whole cargo had been discharged, witness went on board again and took delivery of one bale; the Mate told him that there were no more bales. Of the two bills of lading, he gave up one to the Captain.

Anundrow Bhow, Clerk in the Custom House, produced the import general manifest of the ship *Silistria*. There were two entries of 49 and 20 bales respectively consigned to plaintiffs signed by the Captain. The Captain is obliged to furnish a manifest, and he signs it. Witness did not know what numbers of gunny bales passed through the Custom House. The manifest is made from bills of lading.

Two dealers in gunny bags were then examined to prove that the price of gunnies in that portion of the year was Rs. 3½ to 3¾ per maund.

Mr. Westropp for the defence stated that the defendant never got the 20 bales which plaintiffs alleged were delivered to him; they were never shipped. If shipped, they must have been disposed of by mistake to some other consignee, or by fraud for the benefit of the defendant or the Chief Mate. No attempt was made to shew that the Captain or the Chief Mate did dispose of the bales, nor was it shewn that they ever reached Bombay or passed through the Custom House. The Court was asked to believe that they reached Bombay because there were documents put in to that effect. The shipping order is the order of the Captain sanctioning the receipt of goods on board for conveyance. After the shipping order come the boat notes which are delivered to the Officer on board who signs and returns them. And, therefore, if mistake is made by the person who admits the receipt of goods and gives the boat notes, that mistake will find its way into the bill of lading and likewise into the manifest—thus extending into four successive documents, in which the mention of this extra quantity of 20 bales would be of no importance beyond the first document which is the ground work of them all. Then there would be also pass notes for the Custom House and for so small a quantity as 69 bales there would be but one pass note to cover them. The defendant and his witnesses were examined here *de bene esse* before the commission was sent to Calcutta, and the plaintiffs knew what the defendant's case was. Thus, a defendant is at great disadvantage particularly when he has an unscrupulous adversary, and where he has to disclose his defence beforehand. Having heard the evidence of the Captain and the Mate, the plaintiffs concocted their case in Calcutta. The shipping orders are like cheques made up in a book and there is a counterfoil to each. The learned counsel said that the plaintiffs' men had resorted to hard swearing, and he would shew there was one shipping order and two boat loads of 20 and 29 bales respectively received by the defendant. He would shew that the cargo boat in the river Hooghly would not contain 49 bales, while one of the plaintiffs' witnesses alleged that the first batch of 49 bales was taken in one boat. The learned counsel alleged that the defendant gave receipt for 20 bales which arrived in the first boat, and for the second boat load which contained only 29 bales, he gave receipt for 49 bales by mistake, and the plaintiffs took advantage of this mistake. If the bales were by mistake delivered to other persons or had passed through the Custom House, that could have been ascertained; but not a particle of evidence was brought to shew that. If the defendant had a fraudulent intention, he would have denied the receipt of the goods from the beginning, and would not have led plaintiffs to suppose he had them among other goods; nor would he have given boat notes in that manner. Defendant referred to his cargo books and found by them that he had only taken 49 bales. The boat notes cut up the whole of plaintiff's case; they showed 20 bales were shipped on the first day and 29 in the second day; while the witness Fakeand said 49 on the first and 20 on the second day. The learned Counsel said it was quite idle for the other side to cite the Bill of Lading Act which was not applicable here, and which was not conclusive between the shipper and the master, when the shipper himself was the consignee. [*Mr. Justice Couch.*—It does not apply to cases where a party ships goods consigned to himself]. Mr. Westropp then commented at some length upon the evidence of the plaintiff's witnesses, and said that there was no shipping order produced for 20 bales. If the plaintiffs had to ship 69 bales, why did they not ship 50 bales when they took the shipping order for 50? The Mate received 20 bales on the first day and on the second 29 bales; and on this latter occasion he gave receipt for 49 as total of the two days instead of for 29 then received, having already given receipt for 20 bales on the first occasion.

Captain W. Johns, superintendent of Edward Bates' ships, was then examined. He said he had great experience as sea captain in the Indian seas. He was seven years ago in Calcutta, and he was familiar with the cargo boats plying in the Hooghly. There are two sized cargo boats, the large would carry 125 bags of rice and the small 75; 125 bags of rice are equal in size to 35 bales of gunnies, and 75 bags are equal to 20 bales. There are also cargo boats of larger capacity which would carry more than 50 bales. The manifest is made, first of all, in the shipper's office from the bills of lading, it is then taken to the Custom House, and checked by pass notes.

Mr. A. J. Hunter, of the firm of Messrs. Graham & Co., said there were sometimes mistakes in the ship's manifests. Gunny bags from Calcutta do not pay duty. The Custom House authorities are not so particular about the documents of the goods which do not pay duty, as they are about those which pay duty. The shipping orders have counterfoils and are cut out of books.

Mr. White was heard in reply.

MR. JUSTICE COUCH delivered the following judgment:—

The plaintiffs in this case are merchants at Bombay, and they seek to recover from the defendant the value of twenty bales of gunny bags, which they allege were shipped by them at Calcutta on board a vessel called the *Silistria*, of which the defendant was master, to be carried to Bombay, and the defendant denies that the bales in question were ever shipped on board the vessel. It was proved by the plaintiffs and not denied by the defendant, that he had signed two bills of lading for gunny bags shipped by the plaintiffs, which bills were put in evidence, one for forty-nine bales appearing to be dated on the 17th of October 1860, and the other for twenty on the 18th, and the defendant admitted in his evidence, that freight had been paid for the whole sixty-nine to the charterer of the vessel in Calcutta, and was included in the amount which he had received. The ship's manifests at Calcutta and at Bombay signed by the defendant were also put in evidence, in both of which the forty-nine bales and twenty bales appeared entered as part of the cargo. On the arrival of the vessel at Bombay, forty-eight bales were delivered to the Muccadum of the plaintiffs, and in answer to an enquiry for the remainder, the Mate said that twenty-one remained undelivered, and they were under some packages of sugar. One bale was subsequently delivered and after the whole of the cargo had been discharged, the plaintiffs were told for the first time that there were no more bales for them. If the plaintiffs instead of being their own shippers, had been consignees or indorsees for value, the Act 9 of 1856, Section 3, which is in the same terms as the English Act 18 and 19 *Vict.* c. III. section 3, would have been conclusive against the defendant in the absence of actual notice of the goods not having been shipped or misrepresentation caused by fraud; but in the present case it is open to the defendant to shew that the bill of lading like any other is incorrect, *Bates* vs. *Todd*, 1 M. and Rob. 106. The defendant's counsel observed that no attempt had been made by the plaintiff to make out either fraud or mistake on the part of the Captain or Mate in delivering to other parties. I am of opinion that the plaintiff was not bound to make any such attempt. The bill of lading although not conclusive is *prima facie* evidence of the receipt of the goods and the burden of proof is on the defendant to contradict or explain it, *Graves* v. *Key*, 3 B and Ad: 318. The first witness called by the defendant was examined to prove that it was improbable that the 49 bales were carried in one boat, as stated by one of the plaintiff's witnesses, but he had not been in Calcutta for more than 7 years, and although it appeared probable from his evidence that a native boat would be used on this occasion, and that no native boat would hold more than 35 bales of gunnies it is possible that some change may have taken place in Calcutta since the period he speaks of or that an English boat may have been used on this occasion. Only one shipping order for 50 bales and two boat notes, one for 20 bales and one for what appears to have been originally written 25 and altered to 29, have been produced. These come from the defendant's custody. No explanation is given of the alteration in the boat notes, nor was the defendant or the mate examined about it. I cannot accept it as any evidence that 29 bales only were shipped in addition to the other twenty. I rather conclude that two boat notes each for 25 bales existed and that one of them is not now forthcoming. I need not further allude to the evidence of Captain Johns and Mr. Hunter than to say that so far as they spoke of the improbability of the manifest being wrong, they support the plaintiff's case. I am not satisfied with the evidence of the mate who says that if 20 bales more had been put on board at Calcutta he must have known it; but who will not swear that he did not tell the plaintiff's muccadum that they were under the sugar, nor can I place reliance upon the entry in the cargo book seeing the condition in which it is now, and the fact that the mate does not appear to have referred to it when he was asked about the missing bales. The evidence of the defendant himself amounts to no more than that he does not believe the 20 bales were shipped because they do not appear in the Custom House pass and shipping order produced and were not found on board. The defendant might have examined the charterer by whom the shipping orders were given. It belonged to him to do so rather than the plaintiffs, and in the absence of his evidence I cannot assume from the non-productions of it by the defendant that there was no pass or shipping order for the 20 bales. It is unnecessary to examine minutely the evidence for the plaintiffs which supports the accuracy of the bills of lading. The accounts which his witnesses give is, that 50 bales were originally intended to be shipped on board the *Crescent City*, and 20 on board the *Silistria*, but in consequence of the Captain of that vessel being unable to take them they were on the second day shipped on board the *Silistria*, and the manifest of the *Crescent City* is produced to shew that the 20 bales did not go by that vessel. This would account for the separate bill of lading for the 20, dated the day after the other. A discrepancy has been pointed out by the defendant's counsel in the evidence of the plaintiffs witnesses, one of whom says that the pass for the 20 bales was given to him by Jayram, whilst Jayram says he did not give the witness any paper. Possibly if the witnesses had been examined in open Court it might have been explained. The witness may not have meant to say that Jayram Baboo personally gave him the paper. It is certainly not such a contradiction as to my mind renders the witnesses unworthy of credit. I am therefore of opinion that the plaintiffs are entitled to the verdict, and I think the damages should be estimated at Rs. 3½ a maund which, taking each bale as containing 20 maunds amounts to Rs. 1,300 for which the verdict is to be entered with costs.—*Verdict for plaintiffs.*

HIGH COURT.—APPELLATE BRANCH.

IN THE SESSIONS COURT OF AHMEDABAD.

OOMUR LALLA was arraigned on the 1st August last, for the wilful murder of Peerbhai Ujhoobhai, at the town of Dholka, Zillah Ahmedabad,

Muggun Lal Dulputram, Foujdar of Dholka, being called into Court, and solemnly affirmed, deposed,—I knew the accused at the bar, Oomur Lalla, I knew the deceased Peerbhai Ujhoobhai. The paper now shewn me was written by me, it is the deposition of Peerbhai Ujhoobhai now deceased. Solemn affirmation was administered to him on the 17th July 1862, at about 2 A.M. by me, at his house in Dholka. I wrote according to his dictation, it was then read over to him and he acknowledged it, he was then in the full possession of his senses, though wounded in three places. At this time Peerbhai was in fear of death. While I was taking the deposition, the accused Oomur was apprehended and brought in, he heard the deposition read over to Peerbhai and he declined putting any questions to Peerbhai. Owing to his wounds Peerbhai could not see, so he did not recognize the accused by sight, but as soon as he heard his voice he recognized him. I spoke to the accused Oomur, and on his answering Peerbhai said "wel you have done a black thing now, having killed me and run away, when the havildar, Juggajee Dewkhun, brought the accused, he brought in the two swords of the dagger I now point out before the Court. I examined these weapons and found that one of the swords had been recently cleaned in a particular place. The next day I went to search prisoner's house, and on a swing I found the piece of long cloth, which had stains on it which I point out, on searching the roof of the house, we found under the tiles two pieces of silver wire gilt (to make a ring with). Peerbhai died at about 7 A.M., and I commenced to search about 8 A.M. When prisoner was seized at night and brought before me, he wore this red-edged white doputta round his head, and the trowsers and jacket I now point out to the Court. The doputta has stains apparently of blood on it, and the jacket also near the left shoulder, the trowsers also had a stain near the knee. I asked the accused about these stains and he said that his nose had bled, which caused the stains. Prisoner on being brought before me said, he knew nothing of what had happened, but he appeared somewhat confused, about one at midnight of the 17th July 1862, Goolab came to me, and said his brother-in-law, the deceased, was dying of wounds inflicted by a sword. I immediately went and found Peerbhai lying on a cot, he had three wounds on his face on the right side. I sent for the Police Amildar who soon arrived and we proceeded with the investigation. The third sword and scabbard before the Court, were found in the search of the accused's house, but they had no suspicious stains upon them. I don't know where the rest of the ornaments were found. About an hour after taking Peerbhai's deposition I sent Oomur to jail, and then I took charge of the clothes.

Rampersand Luxmeeal, called into Court and solemnly affirmed,—I am Mamlutdar of Dholka. The paper now shewn me is the deposition of Peerbhai Ujhoobhai now deceased. The part that follows what the Foujdar wrote was written by me. I administered solemn affirmation to Peerbhai, and having read what the Foujdar had written, I proceeded with the deposition. I then read over the whole to him, and he acknowledged it, he was then in full possession of his senses, but it was doubtful if he would live till next day, deceased himself thought he would die. The accused was present all the time I was there, Peerbhai on account of his wounds could not see the accused Oomur, but he recognized him by his voice, at once, saying as soon as he heard the accused answering me, Oomur Lalla you have done this piece of treachery. This deposition was taken about 2 A.M. at Peerbhai's house on the 17th July 1862. The accused only said at that time, that he had accompanied Moteclal Buneya home. Peerbhai died about 7 A.M. the next day, about 8 A.M. a havildar of the Bheel Corps, came and said that Oomur Lalla had agreed to shew all the property, if the Foujdar would not search the houses of his relations, &c. I then went to Oomur Lalla in the lock-up, and asked him where the property of Peerbhai was. He said he would show. I and the havildar, Ambo, and others accompanied the accused to a spot about two hundred and fifty paces from his house in a narrow place, where there was a raised platform of bricks, he took out about twenty bricks and produced the silver anklet, the gold necklace, and armlet, and the two rings, and made them over to me. In Catcherry I questioned the accused who said, that he had wounded Peerbhai, but that he had not taken the ornaments from the body, but from the place in the house where Peerbhai had put them. I showed these ornaments to Peerbhai's brother-in-law and he recognised them as Peerbhai's, when Peerbhai recognised Oomur by his voice, the latter changed colour. Behind prisoners house are other people's houses. The ground on a line with it is vacant.

The deposition of the deceased Peerbhai given before the Foujdar of Dholka on the 17th July 1862, and afterwards confirmed before the Police Amildar was as follows:—

"This evening when it was quite dark, Oomur Lalla came to my house, and having had some conversation with me he laid down on a swing and continued talking to me, at about midnight he got up from the swing, and went to the door, and having made water returned, and seizing his sword from the swing gave me two or three blows with it. One of these blows struck me on the neck, near the ear, and the other extends from the ear to the eye. As I was thus severely wounded Oomur took from my person 1 silver anklet, worth about Rupees 50, 1 gold ring Rs. 22, 1 gold necklet Rs. 75, 1 gold armlet Rs. 14. "He took away these articles as he quarrelled with me about a silver ring he borrowed from me about eight months ago, and which I demanded back from him. I recognised him from the conversation he held with me in the evening when he came to my house. I cannot see him now, as my eye is injured. I, however, recognised him distinctly when he wounded me, and I know him properly at present from his voice. It was he who wounded me, no one was present when he wounded me but myself and Oomur the prisoner. I cried out that Oomur ran away wounding me. I know nothing of what happened afterwards, I usually wear ornaments on my person, when Goolab Khan came to me on hearing my cries I told him what had happened, one of these blows extends from my right ear to the wind pipe, the second from the ear to the nose, across the eye, and the third from the ear to the chin. The wounds near the ear and on the neck are severe."

Goolab Khan Shabas Khan, called into Court, and solemnly affirmed,—I am a Puttewala of the Sudder Ameen's Court at Dholka. I knew the deceased Peerbhai Ujhoobhai, he was my brother-in-law, he is now dead. On the 17th July 1862, about midnight, I was on guard at the Sudder Ameen's house when Bibi Kasayen, and Bapoo Jafir came and said my brother-in-law Peerbhai was very sick and was calling out from his house and that I must go there immediately. I went and found the outer door fastened with a chain outside, and the door was found the next door similarly fastened. On my trying to open this Peerbhai called out, Who's there? I said Goolab Khan, Peerbhai then said Oomur Lalla has wounded me and has run off with my property, I then went in and lighted the lamp and found Peerbhai lying on the cot, he had three wounds on his head and face and one of them reached to his neck, blood was flowing from them. I went to the Foujdar's and made a report of this, the Foujdar sent to me to the Mamlutdar to whom I also reported it, I then went back to Peerbhai's house, and found the Foujdar taking his desposition. While he was taking it, Juggaee, havildar, came in bringing the prisoner at the bar, and the Mamlutdar came also. Peerbhai died about 8 A.M. I do not know where he was wounded. I do not know that the accused and Peerbhai were at enmity, but there was a quarrel about a silver anklet which Oomur had borrowed and not returned as Peerbhai informed me. I don't know that Peerbhai and the accused are in any way related, the accused and Peerbhai lived close to each other and used to go to one another's houses, but I know of no particular friendship existing between them, when Peerbhai said that Oomur Lalla had wounded him, I understood him to mean the accused at the bar. The ornaments before the Court all belonged to the deceased Peerbhai, I have seen them about one hundred times on his person. Peerbhai has no wife, he lives alone, the accused Oomur has a wife, I don't know that there was any friendship between the accused's wife and Peerbhai. The Mamlutdar shewed me the ornaments before the Court about three hours after Peerbhai's death, and I then recognised them, when the accused was asked if he had wounded Peerbhai he said he had not shot, but the Mamlutdar asked him.

Bibi, widow of Kumal Ameer, deposed,—I reside at Dholka, I knew the deceased, about fifteen or sixteen days ago, about midnight I heard Peerbhai, the deceased, calling out, "for God's sake call my brother-in-law Goolab Khan." I and Bapoo Mori went and called Goolab Khan. I then went home. Peerbhai's house is behind mine. I heard him call from my house. I don't know why he was calling out. Deceased has no wife. I don't know that he had any connection with any one else. I don't know the accused nor whether the deceased had any particular enemy. I don't know whose the ornaments are before the Court. On the night referred to. I did not see any one go to, or leave deceased's house.

Baboo Jafir, solemnly affirmed deposed,—I am a Mori, by calling a dealer in vegetables. I reside at Dholka. Knew the deceased. [The evidence of this witness was to the same general purport as that of the last witness.]

Rehman Rummuljee, deposed,—I am a shopkeeper, and reside in Dholka. The paper now read over to me is an inquest report, which I and three others made at the request of the Police Amildar of Dholka on the corpse of Peerbhai Ujhoobhai which was lying on a cot in his house at Dholka. The report was read over to us and we acknowledged it. I knew Peerbhai before. I recognise the ornaments before the Court as Peerbhai's who always wore them. It was his habit to do so. I know the accused Oomur Lalla, I am not aware of any cause of enmity between Peerbhai and him.

Poonja Jeewabhai, a dealer in vegetables, resident at Dholka, deposed to having been on the inquest on the deceased's body, (and his evidence was to the same effect as that of the last witness,) he stated that Peerbhai had no wife and that he was of an effeminate nature.

The inquest report on the body of the deceased was read and recorded.

Juggajee Dookrun deposed,—I am a Havildar of Police, and am attached to the office of the Foujdar of Dholka, I remembered Goolab Khan coming to the Police Chowkie (where witness was on guard,) and telling witness to wake up the Foujdar, as prisoner Oomur Lallah had wounded Peerbhai and ran away. Witness woke the Foujdar and reported accordingly. Went with the Foujdar to Peerbhai's house,—and afterwards went to prisoner's house to arrest him—found the door shut, but on calling out prisoner opened it and came out. Prisoner had been washing his hands at the time and was rubbing them together. I gave him in charge to the two sepoys who were with me. I found in the house the two swords, and dagger now before the Court. I left a sepoy at the house and took Oomur and the weapons to the Foujdar. In the morning the Mamlutdar heard that Peerbhai was dead and directed me and the Foujdar to search Oomur's house again. We found in Oomur's presence the silver gilt wire before the Court concealed in the tiles of the roof. And the piece of white long cloth stained with blood as it is now, but the stains were fresh then, and we also found the short sword sheathed and the extra sheath now before the Court. The clothes now before the Court were on the person of the accused when he was seized, they were taken off him after the Foujdar had searched his house. All had stains of blood on them.

Accused appeared confused when he opened the door, he knew the nature of the charge on which he was arrested, but he said nothing at that time. I was not present when the ornaments before the Court were found. I asked prisoner where the sword was that belonged to the empty scabbard found in his house. He answered that one of his friends had a new scabbard made for his sword and left the old one at his house. He did not name the person.

To prisoner's Vakeel,—The wire was found in the roof, from the inside of the house I asked the accused about this he said Peerbhai had given it him. The Foujdar was close by at the time and must have heard this. I must, I think, have mentioned the fact of the accused having come out washing his hands. Oomur's house is about 250 paces from Peerbhai's. There are many houses between them.

Amba Duda, Havildar of the Ahmedabad Police, deposed to having been called by a police peon, and going into Peerbhai's house, when he found in a dying state Oomur who was there in custody. Assisted in searching Oomur's house, found the silver gilt wire in the place described by last witness, also the piece of long cloth blood stained, the short sword and empty scabbard. The Foujdar went to search the house and told me to take prisoner to jail. On the road thither prisoner said he would shew the property if the Foujdar would not search other people's houses. I locked him up and went at once to the police Amildar's, who came to the accused, and as the accused again repeated his willingness to shew the property, the Amildar went with him to a place about 200 paces from the accused's house and also went with them a building of some kind had fallen there; and under the bricks the accused shewed us the ornaments before the Court. These we brought with him to the Cutcherry, witness did not ask the accused how he had come by the ornaments, does not know if the Amildar did, or did not. Accused said the ornaments belonged to Peerbhai, explained the empty scabbard by saying that some acquaintance had left it at his house.

Hussein Khan Mahomed,—I am a Mahomedan, by caste a barber. I am a village Surgeon, and reside at Dholka. I remember being called by the Foujdar's peons to dress Peerbhai's wounds, I found one wound on the right eye about six inches long, two broad, and one and half inches deep, the eye-ball protruded from between the eyelids, this was a bad wound. Another wound was on the neck four inches long, one and a half inches broad and one inch deep. There were of less importance than the wound on the eye, the wounds appeared as if caused by a sword. The bone of the nose was cut but not the eyebrow. The wounds were of a nature to cause death. I stitched up the wounds but did not bandage them. Peerbhai remained sensible till his death. No depositions were taken of deceased in my presence. No one was with me when I sewed up the wounds, did not ask deceased who had wounded him. There was only a Puttawala at Peerbhai's house when witness arrived there.

Oomur Lalla the accused made the following statement:

I did not kill Peerbhai. At the time when Peerbhai was wounded I was in my house. I came there at about 7 o'clock in the evening after leaving my master's house. Of the three swords produced, one is mine, one was my grandfathers, and one belongs to a neighbour who left it in my house. The knife is mine, and so are the clothes. The stains on them were caused by blood from my nose, the heat had made it bleed. The piece of gilt wire shewn to me is not mine. It belongs to Peerbhai, I hid it under the thatch where the sepoys found it. The gold rings, armlet and necklet, and the silver bangle were Peerbhai's not mine. I shewed the sepoys where to find them. I hid them from fear of my mother, and grandmother, about a month and a half ago, the gold wire I put under the thatch on the day before Peerbhai was hurt, he gave me the things to keep, I did not give him any money in consideration for them. I hid this gold wire with the other things at first. On the day before Peerbhai died he asked for the wire, and I brought and hid it in the roof, and forgot all about it. I shewed the things to the Police, because as the man was dead I did not know what to do with them. I did not say before the Mamlutdar that I had wounded Peerbhai, and taken his ornaments. The stains upon the sword and knife are rust spots. I am no relation of Peerbhai's. I can call two witnesses to prove that Peerbhai delivered the ornaments to me.

The following witnesses were then called for the defence (Malik Abashee). I am a Mahomedan, by calling a cultivator, I reside at Dholka. I know the accused at the bar Oomur but do not know his father's name. I am not related to him in any way. I also know Peerbhai Ajtoobhaie's, he never gave any ornaments that I know of to accused Oomur, I do not know whose are the ornaments before the Court. Peerbhai was rather an effeminate person.

Surwur Khan Moosum Khan,—I am a Mahomedan, a Pathan and a cultivator of Dholks. I know the prisoner Oomur Lalla, I am not related to him. I used to know Peerbhai Ujhoobhai. I do not know any thing about any articles having been given between either of the parties, I do not know what Peerbhai's character was.

Finding.—The Court is of opinion that the accused Oomur Lalla is guilty of having caused the death of Peerbhai Ujhoobhai.

From the deposition of the deceased which is proved by the Mamlutdar and Foujdar Nos. 3 and 2, to have been given in the fear of death, it appears that Peerbhai was attacked by the prisoner Oomur, who wounded him, took his ornaments, and ran away. The deceased says in this deposition (marked No. 4, that he clearly recognised the prisoner Oomur as his assailant, and it is worthy of notice, that on the Mamlutdar's and Foujdar's causing Oomur to speak in the presence of Peerbhai, the latter, though unable to see, at once recognised the voice and declared it to be Oomur's the man who had wounded him.

Oomur on being seized which was done at once, at first denied all knowledge of the matter, but on learning that other people's houses were to be searched he volunteered (see depositions of Ambaduds No. 12,) to shew Peerbhai's ornaments, he did produce them and they are all recognized by witnesses Nos. 5, 8 and 9 to have been deceased's and to have been constantly worn by him. Prisoner having produced these ornaments and the silver wire gilded having been found concealed in the roof of his house, and his clothes, &c. having been found stained with blood, and his explanation regarding the empty scabbard being unsatisfactory, as also that which he gave respecting the stains of blood on his garments which he stated to have been caused by his nose bleeding; it could only be the strongest testimony that he was absent at the time of the murder, or that somebody else did it, that could clear the accused Oomur, the above circumstances being taken into consideration together with the dying declaration of Peerbhai.

Prisoner in his defence states that he was at home at the time of Peerbhai's murder; that the ornaments he pointed out were given him by the deceased some time before; and that he had put the silver gilt wire in the tiles whilst he went to the bazar and being taken with fever, had forgotten it on his return. Of the first and third statements he produces no proof, and calls no evidence, though he might have called his Shet with whom he says he walked home, this is a suspicious circumstance.

The two witnesses whom he called to prove the second statement having denied all knowledge of the facts, the Court is constrained to believe that Peerbhai's dying declaration is true, and that the accused Oomur did murder him.

There are some discrepancies in the evidence as to minor details, but as these cannot affect the main points it is not necessary to notice them.

The Court differing from the Assessors finds Oomur Lalla guilty of the crime specified in the first count of the charge, viz., that he has committed murder by causing the death of Peerbhai Ujhoobhai, and that he has thereby committed an offence punishable under Section 302 of the Indian Penal Code, and the Court directs that the said Oomur Lalla be hanged by the neck until he be dead. The sentence being subject to the confirmation of the Judges of the Sudder Foujdaree Adawlut, under Section 22 of Act XXV. of 1861.

The conviction and sentence were confirmed by the High Court under date the 4th September 1862, but execution was directed to be staid pending the result of a petition made by the convict's uncle to the Government. Government having called for the proceedings together with an expression of the opinion of the Judges upon the prayer of the petition, the Judges of the High Court, considered after perusal of the same that the law ought to take its course, and His Excellency the Governor in Council concurring, and being of opinion that the case was not one calling for the interference of the Government with the course of the law, final instructions were issued by the High Court under date 20th instant, to the Session Judge of Ahmedabad to carry out the sentence.

REPORT ON THE OPERATION OF THE COLLECTORATE PRESSES IN MADRAS.

(From the Calcutta Gazette, Sept. 20.)

FROM T. PYCROFT, ESQ., Chief Secretary to the Government of Fort St. George, to the Secretary to the Government of India, Home Department,—(No. 1671, dated 5th August 1862.)

With reference to Mr. Secretary Grey's letter of the 24th July 1861, No. 1407, I am directed to forward, for publication in the Supplement to the *Calcutta Gazette*, the accompanying Memorandum explaining the use and cost of the Collectorate Presses now in operation throughout this Presidency, with other general information on the same subject.

2. A Circular Order of the Board of Revenue, containing the forms in use for keeping account of the work performed and for submitting to the Controlling Authorities the working of the Presses, is also enclosed.

3. Under the instructions of His Excellency the Governor in Council, I have further the honor to enclose a specimen copy of one of the District *Gazettes*, which form the most remarkable and important use to which the Presses have been put.

MEMORANDUM.

1. A Printing Press is now in operation at the Head-Quarters of every Collectorate in the Madras Presidency.

2. The Presses and materials were supplied by Government at the public expense, but the working expenses were provided for by reductions in the Collector's Establishments. The Presses are chiefly used for the Collector's Offices, but a considerable amount of work is also done for the other Public Departments in the Districts, *viz.*, the Judicial, Public Works, Educational, Military, and Postal, and charged for at established rates. When not employed for Public Offices, the Presses take in work for private individuals who pay at the same rates, and the sums realized are credited in each District to a Fund, which is left at the disposal of the Collector for Press purposes, an Annual Report on the operation of the Press being submitted to Government through the Board of Revenue from each District.

3. THE CHIEF OBJECTS WHICH THEY ARE MADE TO SERVE.—Of the objects which these Presses are made to serve the following are among the most important:—(1) The printing of Circular Orders issued by the Collector and Magistrate in the Revenue, Police, and Postal Departments to his various subordinates. In former days the preparation of these Circular Orders, after the draft had been passed, was necessarily left to irresponsible volunteers, as the permanent Establishment were unable to spare time for the purpose. The work was consequently imperfectly performed, and the orders were despatched with numerous omissions and inaccuracies, a state of things which has now been completely remedied. (2.) The preparation of printed forms for letters of constant recurrence, and of the headings and forms for various periodical Returns, which not only ensures uniformity, but economises time and labor. (3.) The circulation of printed copies to every village of all Acts and Proclamations which materially affect the inhabitants, and which formerly it was all but impossible to make generally known. (4.) The preparation of printed forms for the various Public Departments. (5.) Re-printing such of the Collectorate Records as are of value.

4. But probably the most important use to which the District Presses are at present put is the publication of the District *Gazette*, which are now issued in all Districts of this Presidency. These *Gazettes* are published under the authority of the Collector and Magistrate in diglott, one version in the Vernacular of the District and the English translation appearing in parallel columns. They are published weekly and contain appointments, promotions, returns from leave, dismissals, suspensions, punishments, deaths, resignations, &c., among the District government servants, and other information likely to interest or prove useful to the people, such as Revenue, Police, and Magisterial Orders, Notifications of the sale of land for arrears of revenue, with the result of such sales, Advertisements of the sale and conditions of certain Government Farms, translations of the Circular Orders of the Board of Revenue and the Sudder Adawlut, and of the more important enactments, as well as of such sentences and decisions of the Court as are of general interest. They are supplied gratis to a large number of the officials of the District, and copies are sent to the Collectors of other Districts as well as to the Government, Board of Revenue, and other Departments. The price to Subscribers is fixed at a very moderate rate, and Village Officers are allowed to subscribe on still lower terms.

5. ARRANGEMENTS UNDER WHICH THEY ARE WORKED.—As before stated the establishment for the working of the Press was originally provided for by reducing the number of hands in those Departments where the work was diminished; but in the recent revision of Revenue Establishments a fixed Establishment as per margin, has been provided, at a cost of Rupees 125 per mensem, or Rupees 1,500 per annum, for each Collectorate. The Head Compositor acts as Foreman, and the Department is placed under the immediate superintendence of the Deputy Collector in charge of the Treasury who never leaves Head Quarters.

1	Head Compositor ..... Rs.	35
1	Compositor	25
2	Ditto, at 15 Rupees.....	30
1	Pressman	12
1	Ditto	8
1	Ballman	8
1	Ditto	7
		125

6. ORIGINAL COST OF ESTABLISHING THEM.—The original estimate for wooden Presses with materials was Rupees 1,000 for each District; but Government decided on a superior description of Press, and the estimate was raised to Rupees 1,500 as per margin, and the actual eventual cost to Government may be roughly stated at Rs. 2,000 for each District, for it was found that various articles not included in the original estimate were subsequently required.

	Rs.
Improved Washington Press, with inking apparatus, &c.	425
Proof Do., wood	80
Vernacular types of any one kind	350
English types, cases, &c.....	350
Imposing stone	15
Leads, space rules, flowers, quotations, cheques, &c.	300
	1,500

7. COST OF MAINT

quences it may forebode. Were Colonel Webb in the country no better officer could be selected for such a delicate duty, thoroughly acquainted with all the natives of those parts and in addition a linguist of no ordinary stamp, he is in fact the man for the occasion.—*Madras Times, Sept. 27.*

MADRAS.

HER Majesty's Judges have had painful opportunity afforded to them lately on more than one occasion to judge of the value of native evidence. In passing judgment on Wednesday last in a suit between two natives their Lordships declared their conviction, that gross perjury had been committed on both sides. On the next day, Messrs. Johannes Brothers, as Agents of Messrs. Mollow March and Co. of London, sought to recover Rs. 1,049-10-10—from one Hydrose Sahib, a Muslman, being the difference between the advances made and the amounts realised on sheep-skins exported from Madras. A verdict was found for the plaintiffs notwithstanding that the defendant in contradiction of the oaths of Mr. Johannes and two clerks, solemnly denied that he had signed several documents on which the plaintiffs relied. The Chief Justice ordered the man into custody, and he was put up before Mr. Clarke yesterday at the Town Police, preparatory to being committed to stand his trial for perjury at the ensuing Criminal Sessions.—*Times, Sept. 27.*

BRITISH, COLONIAL, AND FOREIGN.

INDIAN COTTON.

TO THE EDITOR OF THE *LONDON TIMES*.

SIR,—At the recent conference relative to the supply of cotton which took place on the 13th inst., in the Chemical Section of the Horticultural Society at South Kensington, one of the speakers observed that "there was another country coming second to America in the quantity of cotton produced,—he meant India; but the example of India was to be avoided rather than imitated. They had nothing to learn from India, except, indeed, how to mismanage their business, and produce the worst cotton grown on the face of the earth." Now, Sir, I hope you will allow me the privilege, through the medium of your columns, to say a few words in answer to what I have quoted above. Everybody knows, who knows anything at all on this subject, that India possesses a latent power to produce cotton, not only to any amount, but of sufficient quality to satisfy thoroughly the most fastidious of cotton millowners. And whatever may be stated with regard to the inferiority of her staple, it is nevertheless a fact that at the present moment it is the exception to find a mill in the manufacturing districts that is not more or less using Indian cotton. Supposing, however, grounds for depreciating the Indian staple do exist, who is to blame in the matter? Has that long-neglected land of fertility ever met with such encouragement as to bring its undeveloped sources of wealth and productiveness to bear directly on the careless cultivator, and has the unfortunate cultivator himself yet been encouraged to understand and appreciate that the production of cotton of improved quality, carefully gathered and properly cleaned, and considerations which (materially enhancing the value of the commodity) may gradually free him from the grinding grasp of the usurer, and ultimately enable him to taste some of the sweets that toil ought to bring? No, Sir, the ryot, poor as he undoubtedly is, and oppressed as he sometimes may be, struggles on his hard vocation from year to year, and, his wants being limited, the cotton cultivated by him well suits all his domestic purposes; providing for himself and family as he can, he rests stoically contented, indifferent to the requirements of the outside world. On the other hand, again, when his crop is mortgaged (and it often happens that his mortgages are negotiated even before the seed is sown), the ryot after retaining a certain *quota* of cotton in lieu of money for his labour, resigns the residue of the crop to the mortgagee, who, in nine cases out of ten, is as unconcerned in the quality of the material as the cultivator himself.

Now, Sir, it having been my lot to be thrown for years among the ryots of the cotton districts (with whom I have often had to pass months without seeing a white face, or speaking a word of my native tongue), I may be permitted to observe that on the unhappy state of things unpretendingly narrated above the whole question turns. So long as the ryot remains crushed under the yoke of the Asiatic banker, no appreciable improvement in the culture of cotton can reasonably be expected. If, however, British capital and enterprise intervene as a barrier between the Indian cultivator and usurer, the real obstacle to improvement passes away; and it is not arrogating any spirit of prophecy to say that consequences would result in a rapidly increasing production of marketable staple in India, proving her what she really is capable of becoming, the principal cotton producing country in the world.—I am, Sir, yours faithfully,

Hereford, August 16. J. T. N.

INDIAN PRESS.

THE CAUSES OF THE COSSYA REVOLT.

(From the Decca News.)

IN the Administration Report recently published by the Bengal Government, it is stated, and we are sorry the *Englishman* endorses the statement, that no one of the causes usually assigned did by its single influence and impulse originate the rebellion; but that the Income-Tax, the prohibition against burning dead bodies at certain places, the establishment of a Christian Mission, the interference of the Government Darogah with these wild people, and the taking away the shields of chiefs among them all have had more or less attention in inciting to rebellion a people naturally turbulent. The impression that the perusal of a passage like this leaves on the reader's mind is, that the revolt has not been owing to the fault of any body in particular, but is attributable, for the most part, to influences beyond the control of the Administration. But to any one who has had intercourse with the people, who understands their wants, and is able to regard the attitude of the administration from their point of view, this will be unhesitatingly denounced as an utter misrepresentation. The Government has hitherto depended for its conception of the nature, extent and prospects of the rebellion on the official statements of the local authorities and a General who, however deserved his military reputation may be, derived all his information respecting the causes of the rebellions at second hand, But from this time forwards we expect a better state of things. The Lieut.-Governor having reached Sylhet, wisely resolved not to retrace his steps till he had visited the Hills, and to the Hills he accordingly went. Though we have not been admitted into his secret counsels, yet there can be no doubt that he was not simply actuated by a desire to see Cherra, but that he went up for the specific purpose of being able to learn more fully the ins and outs of this obstinately lingering revolt. We know not (for though he is in his yacht and his yacht is at this present moment at Decca, we have not had the courage to ask him!) what conclusion he has come to, respecting the wisdom of the measures hitherto employed to crush out the rebellion; but we shall be mistaken indeed, if he does not, by this time, see things from the point of view from which we have all along striven to exhibit them. We shall be mistaken indeed, if he is not convinced that the statements in the last Administration Report of his Government, do not record the simple truth.

The 'interference of the Government Darogah with these wild people' was not a cause of the rebellion. It was a single circumstance, and however vexatious, would not have urged an entire tribe into revolt, had not the whole scheme of that revolt been previously matured. The same may be said of the taking away of the shields of the chiefs, and of weapons which they had had Major Rowlatt's express permission to keep; things which might well cause an amount of irritation, but which would not of themselves have created a rebellion. The rebellion was the result of a growing disaffection; and we must look for the causes of the rebellion in the causes of the long-standing disaffection. And what were the causes of the disaffection? Undoubtedly, the iniquitous agency through which the taxes were collected, and a rapacious police. No one who has travelled among the people and has been in the habit of holding intercourse with them, does not feel assured that these two influences, and these alone, have supplied the stimulus that has resulted in a most disagreeable warfare. The house-tax began the disaffection, the income-tax brought it to a crisis. And yet it is not the taxes that are to blame, but the agency employed in their collection; and when matters grew so bad that the people were obliged to give up the very hovels they lived in, to meet the demands of the tax-payer, and whole families retired for shelter into the jungles there to subsist, as best they might, upon wild berries, it is not surprising that they sprang up in revolt against a Government which if not a principal, was at all events a particeps criminis by reason of its indifference to their repeated remonstrances. The Police of course sided and abetted the tax-gatherers; the two played into each other's hands, because they found the game profitable to both. And thus the same middlemen that provoked the Sontals into indiscriminate revenge in 1855, have been the real authors of the Cossya Revolt.

We should much like to know what ground the Government, or the local authorities on whom the Government has depended for its information, have for supposing that 'the establishment of a Christian Mission' has had a share in the influences that have brought about the present disturbances. The charge gives us the impression that these same authorities, fearful of having the entire blame attributed to their lax administration of the district, have been looking about for some thing or some one to share the blame with them, and they think they may safely impress the Missionaries and make them bear a part of the burden. The feeling is no doubt very honorable; but impressments are illegal. The establishment of a Christian Mission has had no more to do with the Cossya Revolt, than the Emperor of China's trumpeter has had to do with the American war. It is true that when the revolt first broke out, the people burnt down some of the dwelling houses of the Christians and the Mission house in the neighbourhood, but they burned their own villages too. Had they entertained any special hatred against the native Christians, they would have seized them and put them to the sword as they might most easily have done; but not a Christian, man, woman or child was even touched. The Christian Missionaries of Cherra have for many years been almost the only Europeans who have freely mingled among the people, spending weeks and months with them in the interior of the hills, being hospitably entertained by them, and being readily and unreservedly consulted on all matters affecting the interests of their several communities. No Europeans, up to the present moment, have had more of the confidence of the people than these same Missionaries, towards whom too, none have been more friendly than some of the very chiefs who have been suspected of inciting the rebellion. Indeed, what has the government done for the people of these hills compared with the results of Missionary labour? It is the Missionaries that have given them a written language and a literature; from the days of the Serampore Missionaries to the present day, all the schools planted here and there throughout the hills, have been Missionary Schools; and all the civilizing influences that have got abroad among the people, down to the very airs they whistle as they go up and down hill with their sacks of potatoes, have been derived from the Christian Mission that is now blamed for the rebellion. The name of the first Missionary ever located in these hills—we speak of nearly thirty years ago,—is to the present day held in grateful remembrance as one of the benefactors of their tribe.

The fact is, the old song about Christianity and the Missionaries, raised during the mutinies by men who ought to have known better will no longer answer. The Government ought to be most thankful that there is a Christian Mission in the Cosaya Hills; for without it, we are sure it would have found the administration of the district far more difficult than what it has actually been.

THE CAUSE OF NATIVE DEGENERACY.

(From the Bengal Hurkaru.)

NUMEROUS have been the answers, and various their characters, to the important question, "from what source or sources does the acknowledged difference between European and Native,—the energy, activity, and perseverance of the one, and the indolence, vacillation, and torpor of the other,—arise?" As a general rule there can be no comparison between the *physique* of the two races: and as regards those nobler gifts of Heaven, courage, fortitude, generosity, and abhorrence of oppression and wrong, the superiority of the former is frankly admitted even by his enemies. No extended scheme for the improvement of the country has ever been initiated except by the European; no combination by the natives, even for so laudable a purpose as the recognition of the services of one of their own number, has at any time been brought to a final and satisfactory conclusion. The European would rather work hard than talk much. Town Hall meetings are not much to his taste, except when the gravity of any particular case demands such a gathering. If he puts his hand to the plough, he refuses to "look back;" and the discouragements in his path only call into active exercise greater strength and resolution to overcome them. The warmest friend of the Bengalee will scarcely venture to deny that the reverse of all this forms the distinguishing feature of native character—timidity, irresolution, and an absence of that spirit of application and perseverance, without which no project, however great, no cause, however holy, can be upheld and carried forward to a happy issue.

A consideration of these points forces on our attention another and more melancholy fact. To those who, from previous culture and training, are able to draw trustworthy conclusions from close and intelligent observation, it has been apparent for some time, that on the whole, the Bengalee race, physically regarded, is slowly yet unmistakeably deteriorating. Every succeeding generation evidences in a more painful manner, its possession, greater in strength, of all those defects which characterised that which preceded it. The native of half a century ago, although infinitely more begotted, ignorant, and superstitious than the Bengalee of to-day, was, in the same proportion, more energetic, patiently persevering, and more hopeful than the latter. His theological opinions were doubtless contemptible, but in his progress through life he was not easily turned from any project he had taken in hand, not deterred by trifles, or given to despondence. If he commenced, he finished. He might not have been as powerful in frame as the Rajpoot or Rohilla, yet we know that he fought bravely and bled manfully in support of any master whom he loved. The career of the unfortunate Prince Shoojah is evidence sufficient of the courage and fidelity with which he struck on the field of battle. Of his descendants, not one is to be found in the ranks of the army. Their very name has become a synonyme throughout the country for timidity; and the contempt with which they are in consequence regarded by their co-religionists elsewhere, cannot be easily expressed. In the eye of a Sikh, the Bengalee stands on a platform but slightly removed from that of the Ooriah.

Various causes have been assigned for this lamentable decay. To speak of it as the effects of climate, or diet, or other extraneous power, operating silently but effectually, is to ignore the teaching of the past and of common sense. The influence which the material features of a country exercise on the human frame has always been recognized and acknowledged. That our constitutions are also affected by the diet we observe is similarly admitted; but it is difficult to understand how that which is food to one generation can be poison to its successor. In the Bengalee of A. D. 1800 lived and throve on a simple meal of vegetables, fish, and sweets, it is not easy to discover a reason for the same viands proving detrimental to the constitution of the Hindoo of to-day. He might not be stronger or braver than his ancestors, but why should he be weaker and more irresolute?

The answer to this question, the momentous character of which will hardly be denied by the most thoughtless, is to be found in the remark lately made by a native member of the Bombay Legislative Council:—"I am myself, I confess, averse to very early marriages and have made it a rule in my family, not to celebrate them, and I only hope that my fellow-countrymen who are fond of early marriages, will think of the evil consequences arising from such proceedings, and desist from such a course." This gentleman has put his finger on the peccant part, and, for the bold enunciation of his views he deserves the hearty commendations of all who have the growth and prosperity of an interesting race really at heart. It is these early marriages that are the curse of the country. They are the *fons et principium* of an evil of gigantic proportions, which like a huge cancer is eating into the vitals of the Bengalee race. The offspring of these insane and pernicious marriages, always are, and, under the operation of an eternal and irrevocable law of nature, cannot but be, feeble, effeminate, womanly. Thus constituted, they, in their turn, are united by their silly parents, to others equally delicate, and in time beget children still more feeble, effeminate and nerveless than themselves. This frightful evil is thus perpetuated, and travels from one generation to another, destroying and sapping everything like strength and vatality. Witness the muscular joyousness with which a number of European lads come bounding out of school, making the whole neighbourhood ring with their boisterous mirth; and compare it with the girlish glee with which the young boys of a Hindoo school break up, at sound of bell. How sad a contrast!

Now, this is a subject well worth the most serious attention of the higher and more enlightened classes of Bengalees. The evil is one striking at the very root of their happiness and welfare. Animadversions on political measures which they believe will prove detrimental to the prosperity of their country and the advancement of their race, are doubtless not without value. To assist the Government in its work of legislating for the million, by a respectful representation of the views taken by them of a promised enactment, is without doubt a duty which they ought to discharge. But while doing these things, why leave others of equal, nay, of greater value and importance undone? Good laws are a blessing to a country, but good laws never infused new blood into a race, or imparted vitality to a frame sinking under a distemper which it has received as an inheritance. It is as impossible to administer to a mind diseased, as to a constitution which contains within itself the germs of decay. Herein "the patient must minister to himself." We have surely heard of "patriotic" fulminations against European cruelty, avarice, greed, &c., &c. Let us now, although it be late, be gratified by the spectacle of Hindoo patriotism, engaged in the glorious task of hewing manfully at the root of a social evil which is draining the life blood of his race. Mr. Kingsley has taught us to believe in muscular christianity—let young Bengal shew now, that his patriotism is also muscular, and not a "vain shadow," about which one should not "disquiet" himself.

ACT X. SECTION 6.

(From the Indian Empire.)

SOME weeks since a letter appeared in our correspondence columns under the above heading, regarding the late decision of the Sudder Court as to the right of occupancy of ryots in the land which they hold or cultivate.

In offering our further remarks on the meaning of the Legislature, and the justice of their declaration in Section 6, we had at first wished to quote the actual expressions used in debate by the members of the Legislative Council; but we have no authorized report at hand now, and comparison with the context in the Act will prove an equally sure mode of ascertaining what was the meaning of those who framed the Section under discussion. We wish that we did not feel the necessity of any such enquiry, but of late the practice of giving to plain, straightforward expressions a second meaning, often strained and utterly opposed to the context, has become so prevalent, that a mere reference to the simple grammatical meaning of Section 6 would not satisfy those who have misinterpreted the recent decision of the Sudder Judges.

The very first words of the Act declare that it *re-enacts* with modifications "*the existing law* relative to the rights of ryots with respect to the delivery of pottahs and *the occupancy of land.*" The law thus re-enacted is to be found (according to the 1st Section) in Regulations IV. of 1794, LI. of 1795, XXX. of 1803, VIII. of 1819, and other enactments there detailed,—the four Regulations abovenamed applying most directly to the subject before us. We have not space to quote at any length from these provisions, which were all in full force until Act X. was passed: but the following words are to be found there with regard to occupancy:—"Khoodkast ryots cannot be dispossessed as long as they pay the stipulated rent"—and other similar expressions. With the exception of Section 6 of Act X., there is no part which can be pointed out as re-enacting any rule of this kind; and on looking carefully into the subject, it appears beyond all doubt that this Section was intended to serve as a definite declaration concerning the right of occupancy described in former enactments. For, in the first draft of the bill, as it stood at the second reading on October 1857, we find the words—"Every resident ryot and cultivator has a right of occupancy in the land held or cultivated by him, whether it be held under pottah or not, so long as he pays the rent payable on account of the same." This is almost literally identical with the quotation from the former enactment and the change in the words, as they appear in the 6th Section of the law when passed, does not destroy the comparison. The word "resident" is certainly left out, but will any landholder affirm that a non-resident cultivator has, in one single instance, held the same land for twelve consecutive years? No such case has ever been known, and the Section as now worded is, to all intents and purposes, as solely applicable to resident cultivators, as if that word had been retrained throughout.

Independently of the assurance that has been given, that the Sudder's decision was not intended to bear the interpretation put upon it, it will now, we think, be clear to all who are interested in rent cases, whether as pleading, or as deciding suits, that the expression of the Sudder, that "Section 6 has no retrospective effect," could not be understood to mean, according to the intention of the Legislature, that all occupancy, prior to the 1st of August 1859, goes for nothing; that khoodkast ryots have no claim to continue in possession any longer; that the previous laws which confirmed that claim have been repealed without re-enactment, in direct contradiction to the words of the Preamble in Act X. itself; and that every holding not existing at the time of the permanent settlement may be abrogated at the will of the landlord if at any time between the 1st August 1859 and the 1st August 1871. This would be the inevitable conclusion to which disregard of all fair reasoning and all known rules of grammatical construction would lead any person who asserts that right of occupancy began only in August 1859. And we really do not believe that one single landlord had ever thought of so construing Section 6 until the general misconstruction of the decision of the Sudder put it into his head. We have heard this, in so many words, over and over again, and if a statement could be drawn up showing the number of cases in which right of occupancy had been recognised as a matter of course, the supporters of the new interpretation would be astounded to learn how many proprietors were entirely ignorant of their own rights. The cases regarding enhancement of rents, to which Mr. Hills is a party, furnish alone a striking proof of the commonly-received version of Section 6.

When people ignore tenses and affirm that *past* and *future* have the same symbol, it is no easy matter to show them that they are wrong; it would be equally difficult to prove to such men that two and two don't make five. But we have said all that is necessary on the subject, and will only add a few reasons as to why it is not only just, but expedient, that the resident cultivator should have a right of occupancy.

To begin from the beginning, the ryot was on the land before the zemindar came to levy rents from him. It is apart from the question to argue that at any time the cultivator was the real proprietor, and it is sufficient to assume that the division of the produce between the governing power and the husbandman (a very old principle indeed) had gradually resulted, through the intervention of a collecting middleman, in the zemindar becoming virtually the proprietor of the soil, and in the ryot, on condition of paying him a certain proportion of produce, having the right of cultivation. From a very early period our records furnish reliable accounts of native customs regarding rents of land, and there is no doubt that for much more than three centuries past, a ryot has acquired by occupancy a right of possession in the soil, and has not been considered subject to be removed. The right by prescription, therefore, is clear enough, and generally the statement of the right of the ryot may be put in this way:—the ryot engaged always to pay the proportion of produce fixed as the proprietary share, and the right was granted to him, in return, of occupying the land he cultivated, and from which he derived his own assured means of subsistence, as long as he paid the proprietary share. The zemindar's own position is so far parallel, that as long as he pays the revenue to Government he is undisturbed in his possession. The justice of the claim in this latter case will be readily admitted, and there can be as little hesitation in acknowledging the equal strength of the ryot's claim to undisturbed possession as long as he fulfilled his part of the bargain. There is ample proof, also, that this right was considered hereditary, and the latter part of Section 6 introduces no novelty in that respect. And further, from the accession of the Company down to the present day, in law after law, the right of occupancy is repeatedly recognised; for instance, in the various Regulations about sales for arrears of revenue, an opportunity being lost by Government of recognising the legal existence of such right. Thus, whether by prescription, or in fair fulfilment of a bargain, or under legal sanction, there can be no doubt of the justice of giving to a resident cultivator of any standing a right of occupancy.

The expediency of such a measure seems also very manifest. Putting aside the higher reasoning that it is the duty of the zemindar to ensure to the ryot security and ease in his cultivation, there can be no doubt that the interests of the landlord are best served by encouraging ryots to reside on his lands, for he thus is far more likely to secure men of good substance and character who would devote continued and careful attention to their cultivation, those object it would be to improve the lands for the mutual benefit of both parties—than if he trusted to the aid of non-resident husbandmen, over whom he has no claim, and who would only come to him on their own terms No, in the presence of resident cultivators is the landlord alone safe, and the endeavour to exchange them for the uncertain labor of strangers would be the most short-sighted and suicidal policy which he could adopt.

We have found this subject very tempting, but prudence warns us not to weary our readers. We conclude in the full confidence that the expected decision of the High Court will secure to the cultivator beyond all future doubt the rights which have descended to him through many generations.

THE LATE ARCHBISHOP SUMNER.

(From the Poona Observer, Sept. 30.)

THE pious and amiable prelate whose death is noticed in the last telegram from England (at the age of eighty-two) and who presided over the English church for some fifteen years, was appointed at a time when theological controversy was raging, and when many people thought that it was most important that the man chosen to fill the metropolitan See should not be a violent partisan. John Bird Sumner was not one who showed any undue haste to put his views on controverted points before the world; perhaps he dwelt more on what all Christians agree in. May he rest in peace; and may no worse man be his successor.

Most people seem unable to allude to the death of a bishop without writing about his income; not to be behind the age we follow the example. A Bombay contemporary who ought to know better, has admitted into his columns a paragraph summing up the aggregate sums received by one of them for a long period of years, and presenting a huge total to the eyes of the reader. Nothing can well be more absurd than this. Suppose we were to add together the sums received by a contemporary for forty years back, or if we were to present the total we had ourselves received from subscribers since we first dawned upon the world, and boast of being the recipients of so many thousands of rupees from a confiding public. What would be the value of such a calculation?

The incomes of English prelates are in law, not official salaries, like those of ministers of state, but property, like peers. At the Conquest they were placed on a baronial status, and the church lands held in their names. This arrangement has been interfered with, but not finally overthrown.

At the same time, while in a constitutional point of view they may claim to be regarded as proprietors of private estates, not receivers of public money—so that we have no more right to object to the extent of their revenues than we have to find fault with the large property of the Duke of Marlborough or of Miss Burdett Coutts—we do not pretend to deny that their property is really Church property, devoted to religious uses, and of which they are trustees for the benefit of the church at large—*i. e.* the Christian community over which they preside. They are responsible for the expenditure of it to the great head of the church, to whom they must one day give an account; but hardly perhaps a radical newspaper or a Baptist congregation.

At the end of last session of parliament Mr. Disraeli observed, in the course of an able speech, that his party might reflect with satisfaction on having maintained the status of the English Church; alluding to the bill relating to church rates which they had been instrumental in throwing out. This remark made Mr. Layard laugh; and the tory orator continued:—"The right honorable gentleman, whom I suppose, I must call a minister, sneers at that. There are a few great things left; and the Church of England is one of them."

There is no greater mistake than the notion that the English clergy are overpaid. The fact is, as we shall proceed to demonstrate, that the revenues of the church are totally inadequate to their object.

It is just a thousand years since tithes were granted by the Saxon kings and people in parliament. No one can well maintain that this is too large a proportion of the national resources to devote to the maintenance of the clergy and of divine worship. All agricultural produce was tithed; and since the whole people at that time lived on the produce of their own country, they all virtually paid the tax. Its distribution was so adjusted as to supply the spiritual wants of people in towns as well as of those in the country, who were the actual payers.

But since that time, we have come to import a great part of the material of our food and clothing from abroad, and this pays no tithe. Tea and sugar, tobacco, spirits, beef, corn and above all—cotton—thus escape this most just and necessary impost. This circumstance greatly reduces the aggregate of tithe.

Again:—the possession of tithes by monastic bodies cut off a great deal of church revenue. The monasteries being suppressed, these tithes fell into the hands of laymen, and were lost for spiritual purposes. This has prevailed in many parts of England to a great extent; in Wales particularly it has reduced the spiritual provisions for the people to next to nothing.

Lastly, the tithe commutation (fixing a money payment in lieu of it) was most unjustly calculated on the amount the clergy had actually received for seven years back, instead of what they had been entitled to. This cut off half the remainder, reducing the tithe to five instead of ten per cent. on the produce. In Ireland it is said they get only one per cent.

From these and other causes, the present revenue of the church scarcely exceeds four millions sterling annually; the landed revenues of the bishops and church corporations forming but a trifling proportion of this. Things are great only by comparison.

The value of the agricultural produce of the United Kingdom annually is about three hundred and fifty millions; of that imported perhaps not much less. The church then receives (if our calculations are correct) about one-fifteenth part of what our Saxon forefathers thought an adequate provision for her, making allowance for the increase of population—not one-tenth, but one hundred and fifteenth, of the resources of the country.

The result of this is the heathenism in our large towns; the failure of discipline; the opportunity of establishing secular education;—and who knows what proportion of the giant social evils which degrade our nation before Christendom?

The voluntary system, as it is called, provides only for the rich, or the comparatively rich. People will pay their own religious teachers, but they will not commonly provide religious teachers for their neighbours; and the poor are unable to supply themselves. Religious instruction is one of the few things, the demand for which does not increase as the supply diminishes. On the contrary, if people are left long without it, they will often learn to do without it altogether. It ought to be provided for the poor and ignorant at the public cost, or they will not get it. It is one of the distinctions of Christianity that it preaches the gospel to the poor; and this will only be done by a national establishment. Would that our country could see this, and understood a better destination of her wealth.

ENGLISH PRESS.

PRESIDENT LINCOLN AND THE BLACKS.

(From the Daily News, Sept. 2.)

WHILE we take due note of the broad hints given in American newspapers of all parties about the allowance to be made for what the President does not say, and the interpretation to be put on what he does say, we must be permitted to treat him with the common civility of supposing that, as far as he goes, he means what he says. The universal reply to the question whether Mr. Lincoln is honest is that he *is* honest; yet, from the extreme difficulty of his position, nine in ten of the people about him expect that he will come out on their side at last, and that meantime he is only saying what the circumstances of the time require. On the latest opportunity for any public declaration Mr. Lincoln made a long speech on a subject of the very gravest importance; and it is of the deepest concern to every public interest in America that the address should be understood as it was meant, and treated as it deserves. We refer to the President's address to a deputation of men of colour, who waited on him "to hear his views upon their position." The occasion was planned; the deputation was invited; and if ever a public man was aware of the weight of his own words, and prepared to say what he meant, President Lincoln must have been so on the 14th of August. It is pertinent to this matter to notice one or two preceding incidents. When we recently mentioned the organising of a negro regiment by the Governor of Rhode Island, it was not known here how the President would take such a practical dissent from his own course. He had just before refused to accept of two negro regiments offered to the army, and the remark then was that he had simply refused the offer, and had not condemned the procedure. The inference drawn proves to be just. Mr. Lincoln leaves Governor Sprague of Rhode Island and Governor Andrew of Massachusetts to their own action, and intimates that it is a matter of State concern. He must himself wait (so he thinks) till national opinion warrants his calling on the coloured people to join in the defence of the country; but, if any State chooses to enrol its own people without distinction, he is not bound to interfere. So he settles one point.

But he has a course of his own to pursue. In his Message of last March he proposed a scheme for the emigration of the coloured people; and Congress made a grant for the purpose. He must take some action upon this; and the method he has chosen is to invite a deputation to hear his views and receive his counsel. So far all is plain. Then comes the perplexity. What he proposes is impracticable, and the scheme is based upon a doctrine which every unprejudiced mind must see to be untenable. He tells his hearers that their presence in the Republic is injurious to both races; that it caused all the great evils of the State; that it is the cause of the war; that it is fatal to the development of the negro character and fortunes; that it places the political and moral welfare of the whites in constant jeopardy; and that the solution of all these perplexities can be nothing else than the removal of the whole body of their race to a new country. He proposes, therefore, that they should set about the removal to Central America, by means of lands provided by Congress. It would be mere waste of time to discuss his statement of the evils which are past and irreversible. It would have been wiser to ascribe the mischief to its true cause—Slavery—instead of putting it upon difference of race; and it is necessary to notice this because this mistake affects the future no less than it disguises the past. It is as the badge of slavery that colour is so great a misfortune to these people; and it must not be assumed as proved that they would continue in a state of degradation when slavery had long ceased. The blacks themselves, in proportion to their enlightenment and elevation, understand this; and it is from this conviction that the educated, opulent, and independent negro citizens of the free States have steadily and persistently refused to emigrate. This being premised, we may come at once to the practical point of the President's address.

The removal which he proposes is impossible. Five millions of persons never have been, and we may safely say never will be, removed *en masse* from one country to another. No settled country can receive five millions of labourers into its bosom; and such a crowd of strangers cannot by any power be thrust upon it. In an unsettled country there are no means of subsistence for more than a handful of strangers; for more than can be fed from home while waiting for the produce of their new soil; and that produce can at best be barely sufficient for the new-comers for several years. The project would be impracticable for a single million, for half a million, for a hundred thousand, under the best circumstances of preparation and fitness. In regard to a population of four millions and a half of slaves, and half a million of better-trained people, the scheme is so wild that its proposal amounts to a mere confusion of perplexity, if not despair. Mr. Lincoln declares himself of opinion that the colonisation of Liberia is a "success;" yet he presently states that the number of negroes from America is twelve thousand. Twelve thousand in forty years! Twelve thousand after vehement efforts and vast expense on the part of the slaveholders who made the scheme, and their pro-slavery abettors in the North who gave their money and their service to it, in hopes of getting rid of the blacks! While those twelve thousand emigrants have been passing to Africa, the slaves have increased in America literally by millions. We need not describe the failure and its causes. Dr. Baikie has lately told us why the civilisation of Africa will never be accomplished "by the emigration of bodies of men from the United States" or anywhere else; and the American negroes know enough of the fate of their countrymen in Liberia to have resolved against countenancing any such movement, except as a matter of free individual choice. Mr. Lincoln seems to be aware how his hearers might reply about removal to Africa, for he passed lightly over that part of his discourse, and dwelt chiefly on Central America as the future home of American negroes. He extolled the coal fields of Central America. The reply of the people of colour may be easily anticipated. They prefer the cotton and corn fields of their own country. They will refuse to go and starve among unopened coal-fields while the cotton and corn fields of their own country need their labour, and will afford them subsistence. They have abundantly shown that they can take care of themselves in a country where society is organised, and where labour secures subsistence first, and as much comfort and luxury afterwards as its quality may be worth.

For many years this has been the staunch avowal of the higher order of black citizens, whose decisions will rule the action of the more lately emancipated. They have held annual conventions in which they have discussed the means of elevating the quality and improving the rewards of negro industry, and in which they have regularly passed resolutions against any compulsory emigration to Africa or elsewhere. This year they have made a great step forwards. The same newspapers which report the President's address to their deputation contain their advertisement of their Great Exhibition, by which the world will see what they can do. On the 1st of October "the First National Exhibition of Anglo-African Industry and Art" will be opened in New York. The list of departments of exhibition is too long for us to quote; but it is enough to say, in answer to the assumption that these people can only sweep chimneys and wait at taverns, that among other things there are steam-engines, agricultural and factory machinery, carriages and every description of vehicles, organs and musical instruments of all kinds, oil and water-colour paintings, engravings and photographs, agricultural and manufacturing products, house decoration, models of ship and house building, furniture and utensils, jewellery, perfumery, confectionery, &c. When the President tells people like these that they can never prosper in the Republic, they have only to point to their Exhibition, and nobody can again press them with any scheme of compulsory emigration.

It is only compulsory emigration that is in question. About a year ago, the Government applied to the leaders of the Abolitionists proper, as the opponents of the old colonisation scheme, to know whether their body would oppose all emigration of the people of colour, if a scheme should be proposed. Their reply was that they had no sort of objection to any man, black or white, going any where that he had a mind. Their opposition was to any force, any pressure, and delusion, under which coloured men were got rid of for the convenience of the slaveholder. They know, and they assert, that the coloured race cannot be deported in number equal to their natural increase at home; and they will see that slaves are not emancipated only to be driven into the sea, or starved on a foreign shore; but they are ready to help to emigrate any who desire to depart, whether to Hayti, to our West India colonies, to Africa, to Central America, or anywhere else.

Let any number depart in this voluntary way, and there will still be millions left at home. The President must surely see this; and he must see that their whole number will be wanted, more now than ever, if the industry and the fortunes of the Republic are to be sustained. While tens of thousands of the citizens are perishing in the war, and hundreds of thousands are leaving their industrial pursuits for the army, it is no time to propose the banishment of five millions of the working class. The notion is so extravagant that its announcement must be understood as an indirect disclosure of Mr. Lincoln's policy in his singularly difficult position. In the military matter, he uttered what he supposed to be the predominant feeling, but left it to State Governments and people to act as they think best; and now, in his negro question, he expresses what he imagines to be the public wish; and as will scarcely acquiesce when circumstances show that, in the first place, the negroes cannot go, and, in the next, that, if it were possible, they could not be spared.

Meantime, there are many of those people who are prosperous, and, if not satisfied, hopeful and happy. "The prospects of the black man are bright to-day," said an escaped slave on the 1st of August, their festival day. "We wonder," said a citizen to a fugitive from the South, the other day, "that you have not had an insurrection." The answer was, "We don't need. The white men are killing each other, and we have only to sit still. If either party will give us our freedom, we will take it. If not, we will wait till they have done with each other, and then our time will come." President and nation had better leave these people to take care of themselves and one another, and rise in the world through the opening which a natural retribution has made.

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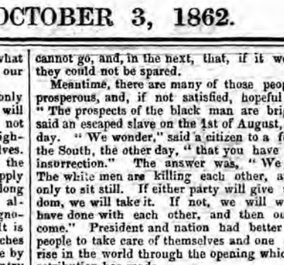

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